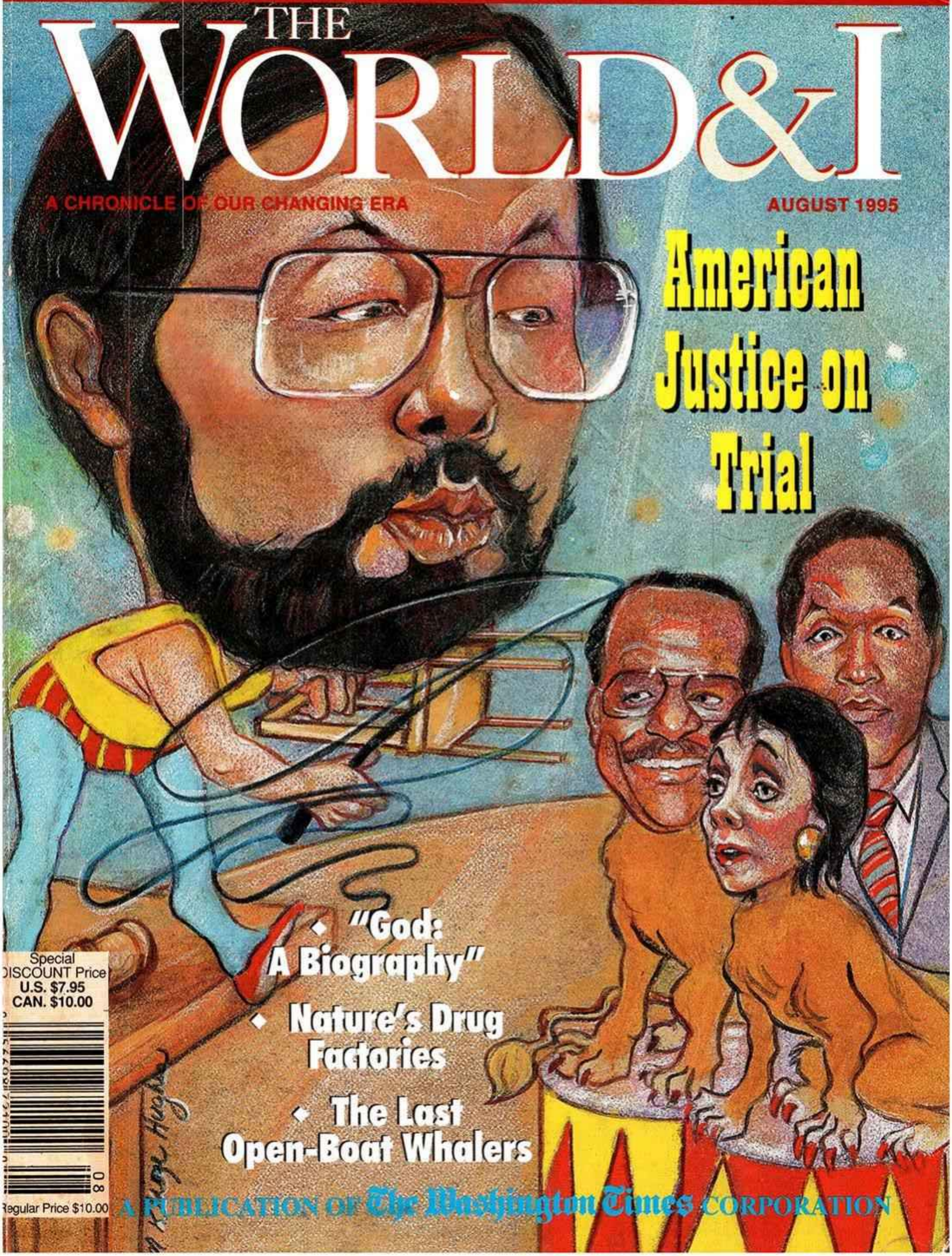
The Many States of Texas ◆ Easing Castro Out of Cuba

THE WORLD&I

A CHRONICLE OF OUR CHANGING ERA

AUGUST 1995



American Justice on Trial

◆ "God: A Biography"

◆ Nature's Drug Factories

◆ The Last Open-Boat Whalers

Special DISCOUNT Price
U.S. $7.95
CAN. $10.00

Regular Price $10.00

A PUBLICATION OF The Washington Times CORPORATION

A WORLD BEYOND WORDS

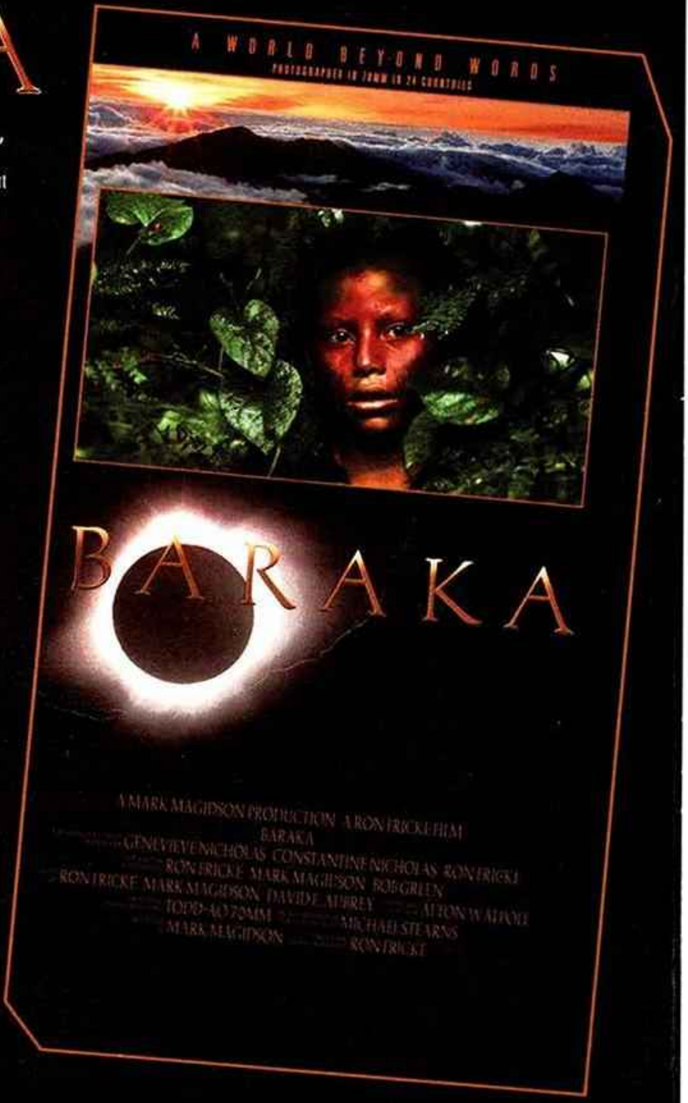
PHOTOGRAPHED IN 70MM IN 24 COUNTRIES

BARAKA

"TWO THUMBS UP!"
— Siskel & Ebert

"DAZZLING!
An awesome cinematic world tour."
— Stephen Holden, *New York Times*

"MAGNIFICENT!
Visionary, shimmeringly beautiful. A film as awesome as its images. A dazzling collection of life on this planet."
— Kevin Thomas, *Los Angeles Times*



A transcendently poetic, world-wide tour of the globe, *Baraka's* aim is to tell the ultimate story of our unique outpost in the universe, unfolding before our senses, through images, sound and music, speaking directly to the soul and mind of the viewer, bypassing words, exciting the eye, the ear and the imagination with a sweep of visions and sounds.

Set to the life affirming rhythms of varied religious rituals and nature's own raw beat, *Baraka* is ultimately a visualization of the interrelatedness humans share with the earth. Spanning such diverse locales as China, Brazil, Kuwait and major U.S. and European sites, among others, *Baraka* captures not only the harmony, but also the calamity that humans and nature have visited upon the earth. However, mere descriptive words do not do the film justice — *Baraka* must be seen, felt, experienced to be understood.

- Explores 24 countries on six continents.
- Features music by Michael Stearns and Dead Can Dance, among others.

Color Approx. 96 minutes NR Hi-Fi Stereo
VHS: MP7060 LASERDISC: CAV7060

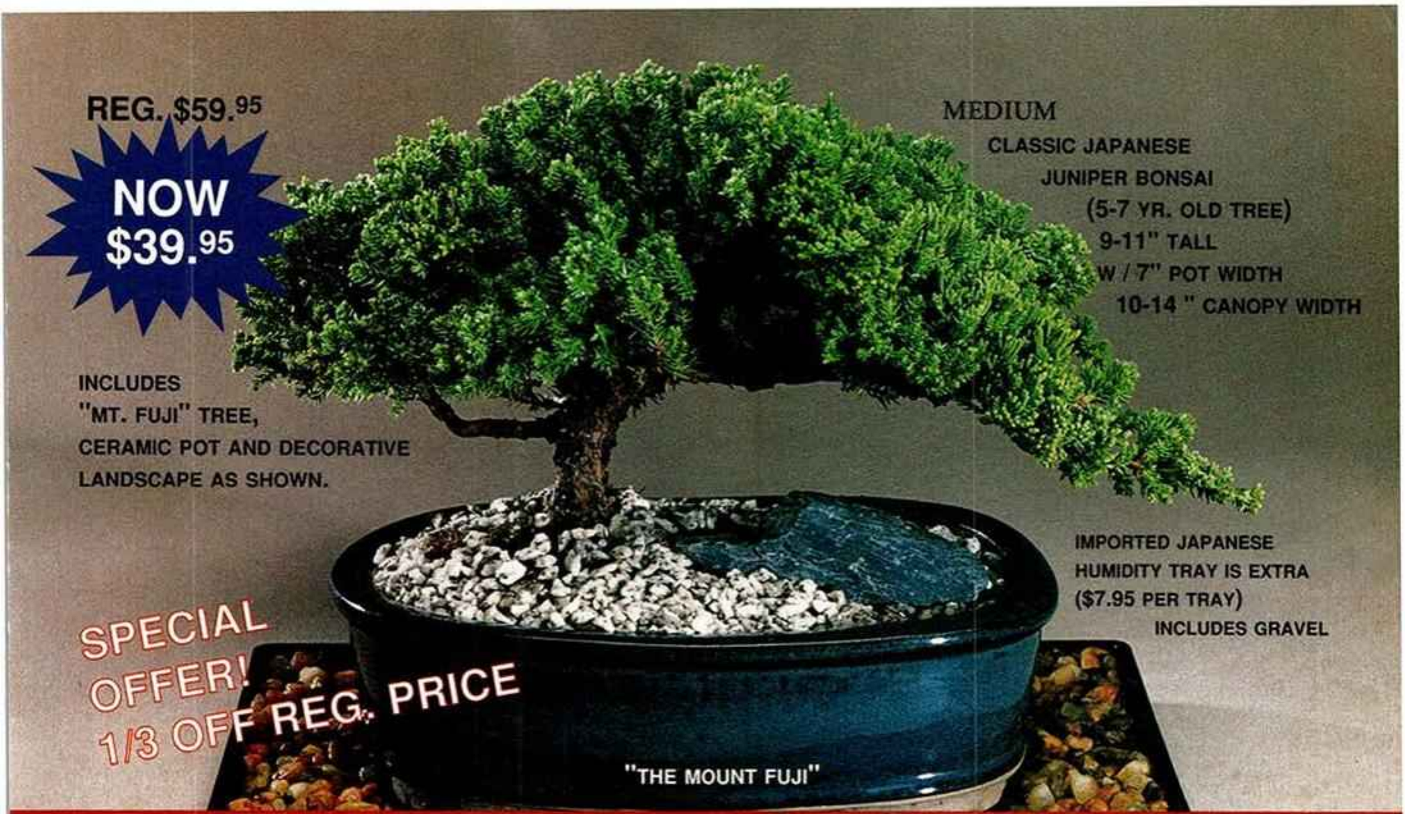
MPI HOME VIDEO

Available where fine videos and laserdiscs are sold, or by calling:

1-800-323-0442
In Illinois, call 708-460-0555

$29.98 VHS
$39.98 LASERDISC

©1992 Magidson Films, Inc. All rights reserved.
Design ©1995 MPI Home Video



BONSAI TREES

ORDER NOW!
CALL 1-800-556-4019 OR MAIL THE COUPON

Our best selling classic Japanese Juniper Bonsai. Bright green needles, highly styled limbs and a beautifully gnarled trunk characterize this timeless tree. Ease of care and potential to live indefinitely make this tree a favorite.

NOW $89.95

DISCOVER THE FASCINATION OF OWNING ONE OF THESE TRULY AMAZING ***MINIATURE TREES!***

"EMPEROR'S GIFT"

LARGE
(12-15 YR. OLD TREE)
CLASSIC JAPANESE JUNIPER
10-14" TALL W/ 10" POT WIDTH
16-20" CANOPY WIDTH
THIS RARE TREE IS ONLY AVAILABLE WHILE SUPPLY LASTS.

NOW $24.95

"SKOSHI"

SMALL
(3-4 YR. OLD TREE)
CLASSIC JAPANESE JUNIPER
6-8" TALL W/ 6" POT WIDTH
7-9" CANOPY WIDTH

INCLUDES FREE EASY CARE INSTRUCTIONS AND EXTRA PACKET OF CRUSHED GRANITE GROUND COVER!!!

POTOMAC DESIGNS, INC. DEPT. WI
1966 KIRBY RD.
McLEAN VA., 22101

❑ **YES,** *PLEASE SEND ME:*

QTY	ITEM	TOTAL
____	MED. (MT. FUJI) ....$39.95 ea	______
____	SMALL (SKOSHI) ....$24.95 ea	______
____	LARGE (EMPEROR'S GIFT) ....$89.95 ea	______
____	HUMIDITY TRAYS ....$7.95 ea	______
____	P.D.I. BONSAI CATALOGUES ....$1.00 ea	______

ADD $5.95 SHIPPING & HANDLING FOR EACH TREE ORDERED ______

TOTAL ENCLOSED ______

PRINT NAME ______
ADDRESS ______
CITY ______ STATE ____ ZIP ____
PHONE ______

METHOD OF PAYMENT:
❑ VISA ❑ MC ❑ CHECK OR MONEY ORDER
(Make check payable to: POTOMAC DESIGNS, INC)
CARD # ______
EXP. DATE: ____/____

COMING IN SEPTEMBER

CURRENT ISSUES &
CURRENTS IN MODERN THOUGHT

Reforming Welfare

Two sections of the magazine take a wide-ranging look at the welfare phenomenon including: what counts as poverty, the welfare of the past, the burgeoning welfare bureaucracy, welfare's impact on the work ethic, how Wisconsin has reduced its welfare rolls, and the present politics of reform.

THE ARTS

High Arctic Art: Six Inuit Masters

The simple, stylized, often humorous sculptures by Inuit Eskimo artists, depicting the great themes of their traditional life, are attracting the attention of art markets around the United States.

LIFE

America's Shangri-La

Writer Herb Greer returns to Santa Fe, New Mexico, where he was born and raised and where his grandfather was mayor. The prodigal does not return to his roots, however, as he finds the place longer on change than on tradition.

NATURAL SCIENCE

Exploring the Abyss

A new approach to deep-diving subs has produced a model that resembles a fighter jet and swoops down to depths of 35,000 feet in a fraction of the time of the older submersibles.

CULTURE

Can You Sue the Queen of England?

Warren Perrin, a Louisiana Acadian, believes you can and is seeking recompense from the British Crown for the forced expulsion of Acadians from Canada in the eighteenth century. The article looks at Acadian history and folklore.

BOOK WORLD

In Retrospect by Robert McNamara

Writing a book that angers both the political Right and Left is no small achievement, but McNamara has managed it. We examine the range of responses to his book, including some that have received little attention.

THE WORLD&I

EDITOR AND PUBLISHER: Morton A. Kaplan

EDITORIAL

Executive Editor: Michael Marshall **Associate Executive Editor:** Eric P. Olsen **Senior Editor:** Lee Edwards (Current Issues) **Senior Contributing Editors:** Paul Gottfried (Currents in Modern Thought), Cynthia Grenier (The Arts)

Current Issues: **Editors:** William Connery, Madeline Giordano, Robert Selle ***The Arts:*** **Editors:** Stephen Henkin, Susan Fegley Osmond **Contributing Editor:** Herb Greer ***Life:*** **Editor:** Linda Joyce Forristal ***Natural Science:*** **Editors:** Dinshaw Dadachanji, Glenn Carroll Strait ***Book World:*** **Associate Senior Editor:** Susan B. Reno **Editor:** Clark Munsell ***Currents In Modern Thought:*** **Associate Senior Editor:** Lawrence Criner **Assistant Senior Editor:** Lloyd Eby ***Culture:*** **Assistant Senior Editor:** Stephen Osmond **Editor:** Craig Renner

Editorial Office Coordinator: Gary Rowe **Library: Head Librarian:** Diane M. Falk

Copydesk: Copyediting Manager: Burton E. Leavitt **Copy Editors:** Robin Easson, Louise Strait **Proofreading Manager:** Vicki Rivera **Proofreaders:** Carl R. Rapkins, Christoph Wilkening **Art/Graphics Director:** Anne E. Ulvestad **Assistant Art Director:** Tom Humphrey **Section Designers:** Angela Eisenbart, Holly Haft, Phillip Simmons **Illustrators:** Emiko Ozaki, Marcia Klioze Hughes **Photography: Director:** David Hill **Photographer:** John Harrington **Photo Billing Coordinator:** Leda Yatabe **Photo Researchers:** Peter Holden, Joseph Taylor III, Shirley Vlasic

ADMINISTRATION

Senior Accountant: John Paul Chon **Accountants:** Kikuno Allen, Petra Colglazier **Engineering Manager:** Markus Hochmuth

BUSINESS

Director: Charles Kim **Sales Promotion Manager:** Siegfried Pichler **Single Copy Sales Consultant:** RSD Marketing (301)349-2219 **Special Projects Coordinator:** Catherine Sebold **General Ledger Magazine Manager:** Joanne L. Parrish

Advertising Sales Manager: Francis Buckingham **Office:** 3400 New York Ave., N.E., Washington, D.C. 20002, (202) 636-3369; (800) 822-2822; Fax: (202) 526-3497.

EXECUTIVE ADVISORY BOARD

Gerald Radnitzky (Germany), Kiyoshi Nasu (Japan), Eun Woo Kim (Korea), Ray Cline (USA), Nicholas Kittrie (USA), Herbert London (USA), Richard Rubenstein (USA)

INTERNATIONAL ADVISORY BOARD

Alcira Batlle (Argentina), Ivor F. Vivian (Australia), Michael J. Higatsberger (Austria), Winston Headley (Bahamas), Mohammed Ali Al-Khozai (Bahrain), M. Shamsher Ali (Bangladesh), P.K. Menon (Barbados), Mario Aguilar Zenteno (Bolivia), Maria Angela P.I. Elias (Brazil), Nansen Behar (Bulgaria), Akry Coulibaly (Burkina Faso), G. Edward Njock (Cameroon), Petro Bonys Bilaniuk (Canada), Guido Pincheira Vega (Chile), Juan Francisco Chavez (Colombia), Milan Mesic (Croatia) Sofronis Sofroniou (Cyprus), Jaroslav Machacek (Czech Republic), Peder H. Bering (Denmark), Fidias Aristy (Dominican Republic), Luis Romo (Ecuador), Abdul Karim Elahwal (Egypt), Jean E. Charon (France), Kombila Pierre (Gabon), U.M. Aboobucker (Gambia), Wolfgang Schellenberger (Germany), John Maxwell Assimeng (Ghana), Evanghelos Moutsopoulos (Greece), Armando de la Torre (Guatemala), Abdoulaye Diakite (Guinea), Sheila A. Chapman (Guyana), Chavannes Douyon (Haiti), Jorge Fidel Duron (Honduras), Philip Cheng (Hong Kong), Tams Kozma (Hungary), Gylfi Gislason (Iceland), Motilal Jotwani (India), Soerjanto Poespowardojo (Indonesia), Farhang Rajaee (Iran), Leon Romaniecki (Isreal), Vincenzo Cappelletti (Italy), Yapo Abbe Etienne (Ivory Coast), Lloyd Barnett (Jamaica), Nobuyuki Fukuda (Japan), Jawad Anani (Jordan), H. Odera Oruka (Kenya), Hang Nyong Lee (Korea), Raja Hajjar (Lebanon), Brahima Kaba (Liberia), Osman Bakar (Malaysia), John Buontempo (Malta), Gutierre Tibon (Mexico), Abdeslam Bou Imajdil (Morocco), Christo Lombard (Namibia), Tulsi Prasad Pathak (Nepal), Jan Knappert (Netherlands), W. Theo. Roy (New Zealand), Ernest Emenyonu (Nigeria), Jan Brogger (Norway), Anis Ahmad (Pakistan), Tobias Diaz-Blaitry (Panama), Luis H. Berganza (Paraguay), Mateo Casaverde Rio (Peru), Andrew Gonzalez (Philippines), Ryszard Pachocinski (Poland), Mircea Cosea (Romania), Piotr A. Nickolaev (Russia), Ely Fall (Senegal), Ernest H. Wright (Sierra Leone), Mohamed Nur Gutale (Somalia), Albert J. Venter (South Africa), Rafael Alvarado (Spain), M. Padmasiri de Silva (Sri Lanka), Ustaz Sir El Katim El Khalifa (Sudan), Frits E.M. Mitrasing (Surinam), Bongile E. Putsoa (Swaziland), Jiri Toman (Switzerland), Yih Young Chen (Taiwan), Weerayudh Wichiarajote (Thailand), A.M. Adjangba (Togo), Mohammed F. Al-Jamali (Tunisia), Hayri Erdogan Alkin (Turkey), ABT Byaruhanga Akiiki (Uganda), J.C.H. Davies (UK), Alexandre N. Gonchsrenko (Ukraine) Lee Congdon (USA), Barry Farber (USA), Baroness Garnett Stackelberg (USA), José Penin Cachon (Venezuela), Mohammed Ahmed Sharaf Addin (Yemen), Ljubisav M. Rakic (Yugoslavia), Ndaywel e Nziem (Zaire), John Milimo (Zambia), Jameson Kurasha (Zimbabwe)

The executive advisory board and the international advisory board are composed of scholars in the various academic disciplines and national representatives of Professors World Peace Academy chapters worldwide. In addition, there is an editorial board for each editorial section.

PRODUCTION

Director: Michael Allen **Assistant Production Director:** Werner Huber **Printing Coordinator:** Robert N. Armstrong **Prepress Technician:** Yoshimi Ozaki **Sales Representative:** Stephanie Huber **Reprographics Camera Operators:** Jan de Goey, Hiroaki Egoshi, Akio Fujioka, Etsuo Ishida, Tetsuhiro Ishibashi, Masaaki Koyama, Roger D. McNew, Hiroya Sano, Mitsunori Sasagawa, Tetsuji Sasanishi, Roberto Turconi, Alois Weinmann

Send all correspondence to THE WORLD & I, 3600 New York Ave., NE, Washington, DC 20002 (1-202-635-4000). THE WORLD & I (ISSN 0887-9346) is published monthly by News World Communications, Inc., 3600 New York Ave., NE, Washington, DC 20002. Second-class postage is paid at Washington, DC, and additional mailing offices.
Copyright 1992 by News World Communications, Inc. Reproduction in whole or in part prohibited except by written permission.
Unsolicited manuscripts should include a self-addressed stamped envelope.
Subscription rates (per year): U.S. $90. Canada and Mexico $120. Western Europe $150. All others $195. Back issues: U.S. $10 per copy plus additional charge based on shipping fee and availability. All other countries $18 per issue (shipping and postage included). Back issues and foreign subscriptions must be prepaid in U.S. dollars. For subscription inquiries call 1-800-822-2822.
POSTMASTER: Send address changes to THE WORLD & I, 3400 New York Ave., NE, Washington, DC 20002. **Printed in the U.S.A.**

THE WORLD & I is abstracted and indexed in Magazine Article Summaries, PAIS, and Book Review Index.

LEARN TO SPEAK A FOREIGN LANGUAGE FLUENTLY IN 30 DAYS? GOOD LUCK!

If you've ever studied a foreign language, you know fluency doesn't come quickly. It generally takes years to master a language — and an ongoing effort to maintain proficiency. Whether you try to learn a language on your own or in a class, with language cassettes, textbooks, or computers, sooner or later every course ends…and then what do you do?

Now you can continue your language study with *Champs-Elysées*, *Schau ins Land*, *Puerta del Sol*, and *Acquerello italiano*, internationally acclaimed audiomagazines for intermediate and advanced students of French, German, Spanish, and Italian. Each consists of an hour-long program on audiocassette accompanied by a printed transcript with an extensive vocabulary section. Optional study supplements, priced separately, include innovative listening exercises and grammar reviews.

Because they're periodicals, they give you a means of honing your language skills month in and month out, at your own pace, for as long as you like. No standard course does that. And the unique radio-magazine format is as entertaining as it is instructive.

Produced in Europe by professional broadcasters and journalists — all native speakers — each audiomagazine unlocks the door to a fascinating language and culture. There are news reports, interviews with fascinating and influential people, and features on a wide range of topics, including politics, business, the arts, cuisine, travel, books, cinema, and sports. With each new edition, you'll build vocabulary, improve your listening comprehension, and increase your cultural IQ, as though you were living abroad.

MONEY-BACK GUARANTEE: While we can't promise you fluency overnight, we will give you your money back if you're not delighted with your first edition. Find out for yourself what thousands of business people, educators, diplomats, and professionals on six continents are raving about.

Subscribe today!

Send with payment to Champs-Elysées, Inc., Dept. WLD2
P.O. Box 158067, Nashville, TN 37215-8067

PLEASE RUSH ME MY FIRST EDITION OF:

Champs-Elysées:	☐ 5 monthly editions (US$79)	☐ Study supplement (US$20)
	☐ 11 monthly editions (US$129)	☐ Study supplement (US$44)
Schau ins Land:	☐ 5 monthly editions (US$79)	☐ Study supplement (US$20)
	☐ 11 monthly editions (US$129)	☐ Study supplement (US$44)
Acquerello italiano:	☐ 6 bimonthly editions (US$89)	☐ Study supplement (US$30)
Puerta del Sol:	☐ 6 bimonthly editions (US$89)	☐ Study supplement (US$30)

Tennessee residents add 8.25% sales tax. Extra postage: Canada & Mexico, add US$4 on all subscriptions. (Checks should be in US$ and drawn on a US bank).

Name ______

Address ______

City/State/ZIP ______

☐ Check enclosed. Please charge my ☐ VISA ☐ MasterCard ☐ Discover ☐ American Express

Card no. ______ Exp. date ______ Signature ______

Credit card orders may be faxed to 615.297.3138

ORDER BY CREDIT CARD IN THE U.S. & CANADA: 1.800.824.0829

Berlitz simplifies learning a new language and guarantees the results in only 30 days.

Just what did he say?

Get better treatment when you travel just by speaking the local language.

Though many foreign people speak English, they often relate better to those who speak their language. It's true when ordering dinner, getting directions or chatting in a cafe. And Berlitz makes it easier than you may have imagined to learn the language of the country you plan to visit.

Innovative and proven methods now available for home study.

Berlitz's unique approach has been used by 30 million students worldwide and by more than half the Fortune 500 companies for their executives going overseas. Now adapted for self-instruction, the program has been ranked "best on the market" by America's leading consumer rating magazine.

No endless memorization. No tedious translation.

Berlitz courses have no vocabulary lists, no grammar drills, no workbooks. You begin by speaking the language as you become involved and spontaneously join in instructional conversations. Invest only 30 minutes a day for 30 days and you will be delighted by your new skills. If not, return the study materials for a refund in full.

Select the format you prefer: tape, CD or CD-ROM.

Order your course on audiocassettes or CDs with two illustrated study guides and a pocket dictionary for $185. Or choose CD-ROM for MPC or MAC with color graphics, interactive instruction and the option to practice voice recording for $139. Spanish, French, Italian, German, Russian and Japanese courses are now available. All major credit cards are accepted.

Order now by calling 800 526 8047 ext. 3242S
Get a personal lesson and a cassette player. FREE.

In addition to receiving a portable cassette player, you'll also be invited to attend a lesson, worth up to $40, at one of Berlitz's 63 U.S. language centers. You may take this lesson any time you wish. Or mail orders to: Berlitz, P.O. Box 305, Dept.3242S, Riverside, NJ 08075. (s/h $10; NY, NJ, CT add sales tax)

MERÇI. GRAZIE. DANKE. GRACIAS. DOMO.

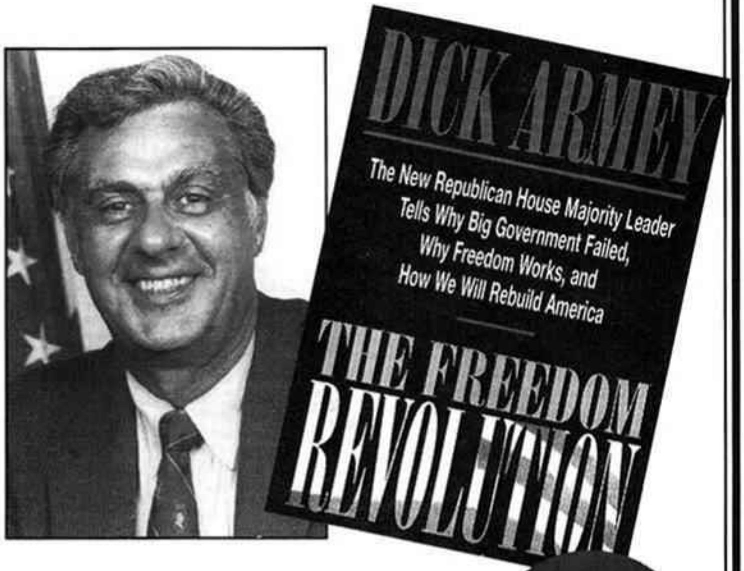
Berlitz® **Helping the World Communicate**

Dick Armey's *Freedom Revolution*

The most far-reaching proposal *ever* from a sitting congressional leader

After the Contract with America, what next? Rest on our laurels?

Hardly. Rep. Dick Armey, key architect of the Contract, now calls for a new American revolution, a radical return to the limited government of the Founding Fathers.



- In *The Freedom Revolution*, Armey shows how free people can take power back from government, and proposes a breathtaking plan for smashing the ruling Washington establishment . . .
- *Cut government by HALF*: 12 major programs on Armey's hit list
- *Scrap the tax code*; replacing it with a flat tax
- *End the government monopoly on public schools*—returning power to parents
- *Free the economy* from arrogant federal regulators and "put all the little *potentates on the Potomac* in their place."
- *Social Security*? Hold government to the same standard as private investment funds.
- *ZERO tolerance for lawbreakers*, taking the profit out of crime

> "Dick Armey is a pioneer on the trail toward common sense government. This book shows us the way." —*Rush Limbaugh*

Arriving in Congress in 1984, Armey rocketed into the leadership, lancing liberal myths all the way with his trade mark wit and common-sense style. After a decade behind the lines, he shows why freedom works and Big Government failed. Among Dick's gems:

- "The politics of greed always comes wrapped in the language of love."
- "Compassion without understanding can be cruel."
- "You no longer have to be knowledgeable at all to be an expert. You just have to be 'concerned' or 'passionate.' . . . I will never forget the congressional hearing I once watched on agriculture policy. The witnesses: Jane Fonda, Jessica Lange, and Sissy Spacek—on hand to share the knowledge they'd recently acquired playing farm women in movies. . . .
- "Republicans, haunted by the fear that the public will not understand, are reluctant to state their views bluntly. Democrats are always afraid the public will understand, so they distort information early and often."
- "You can't put your finger on a problem when you've got it to the wind."

YOURS FREE!

How to get this $24.95 book absolutely free!

How the Club Works

Every 4 weeks (13 times a year) you get a free copy of the Club Bulletin which reviews and offers you a fine selection of the most important books for conservatives like you. ★ If you want the Featured Selection, do nothing; it will come automatically. ★ If you don't want the Featured Selection or you want an Alternate, indicate your wishes on the handy card enclosed with your Bulletin and return it by the deadline date. ★ The majority of Club books are offered at 20-50% discounts, plus a charge for shipping and handling. ★ As soon as you buy and pay for 3 books at regular Club prices, your membership may be ended at any time, either by you or by the Club. ★ If you ever receive a Featured Selection without having had 10 days to decide if you want it, you may return it at Club expense for full credit. ★ The Club will offer regular Superbargains, mostly at 70-90% discounts, plus shipping and handling. Superbargains do not count toward fulfilling your Club obligation, but do enable you to buy fine books at giveaway prices. ★ Only one membership per household.

CONSERVATIVE BOOK CLUB

33 Oakland Avenue • Harrison, N.Y. 10528

Please accept my membership in the Club and send me Dick Armey's FREEDOM REVOLUTION, a $24.95 value, absolutely FREE. In return, I agree to buy 3 additional books at regular Club bargain prices (usually 20-50% off list) over the next 18 months. I also agree to the Club's other simple rules spelled out in this coupon.

W & I - 29

Name ______________________

Address ______________________

City ______________ State _____ Zip _____

THE NATIONAL INTEREST

HAVE OUR WITS ABOUT YOU.

FUKUYAMA ON CULTURE AND THE MARKET • KURTH ON HOBSBAWM'S WORLD • TUCKER ON THE ABSENCE OF THREAT • EBERSTADT AND LEWIS ON PRIVATIZING THE WORLD BANK • JONES ON THE PRICE OF INFORMATION • FRED IKLÉ ON GOLDSMITH • BELOFF ON MONNET AND DELORS • MARK FALCOFF ON CUBA • DIMITRI SIMES ON MESSENGERS FROM MOSCOW • HENRY ROWEN ON INCHON IN THE DESERT • PETER DAY ON LOVE AND THE COLD WAR •

ALL THIS—AND MUCH MORE—IN OUR SUMMER ISSUE.

SUBSCRIBE NOW.
ONE YEAR (FOUR ISSUES) JUST $26.
SEND CHECK OR CREDIT CARD NUMBER TO:
THE NATIONAL INTEREST, DEPT. NI, PO BOX 3000, DENVILLE, NJ 07834,
OR CALL (202) 467-4884.

4WI40

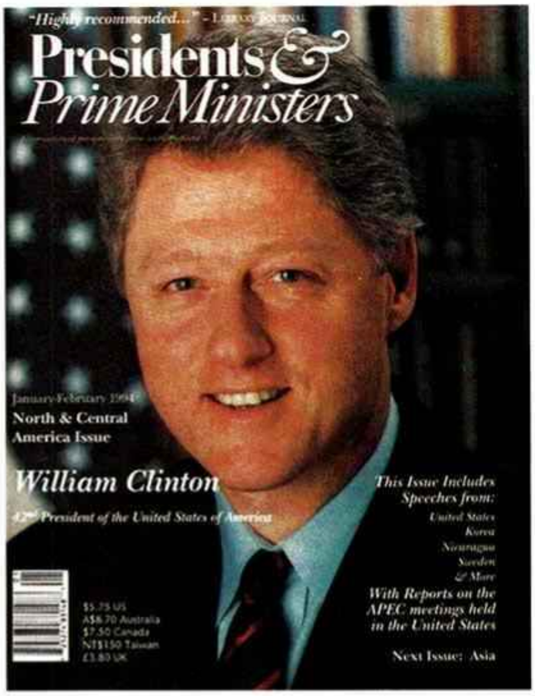
Put the World in Your Hands

Presidents & Prime Ministers®

International perspectives from world leaders

"If you can't make it to the next meeting of the UN, don't stress. You can catch up on what diplomats and world leaders are saying in the pages of *Presidents & Prime Ministers*."
-- *Magazine Week*

- Covers topics such as trade, diplomacy and world peace, economy and finance, health, environment, and more!
- Features profiles of government leaders.
- Includes speeches, statements, and news briefs from leaders and countries worldwide.
- Distributed in the United States, Canada, Jordan, New Zealand, and Taiwan.
- Indexed in several databases, including Public Affairs Information Service.



"Highly recommended for its innovative approach." -- *Library Journal*

Receive a one-year subscription (6 issues) for $21.60. A money saving two-year subscription is $33 and three-year subscription is $50. Non-US subscribers, add $19 per year for air mailed issues.

Annual Editorial Schedule

January-February	**North & Latin America**
March-April	**Asia**
May-June	**Europe**
July-August	**Africa & Middle East**
September-October	**Latin America & the Caribbean**
November-December	**Asia-Pacific**

Ask for a sample copy!

Fax or mail your order to:

Presidents & Prime Ministers
799 Roosevelt Road, Building 6, Suite 208
Glen Ellyn, IL 60137, USA
Telephone 708-858-6161, Fax 708-858-8787

Help Save Thoreau Country!

The Thoreau Country Conservation Alliance (TCCA) is dedicated to the preservation, protection, and restoration of sites and vistas significant in the life and writings of America's great naturalist–philosopher, Henry David Thoreau—including key segments of Walden Woods, Estabrook Woods, the Maine Woods, and Cape Cod. TCCA has worked successfully with other groups to stop major office parks and luxury condominiums from destroying Walden Woods, the "heart of Thoreau Country." But additional challenges remain, and your support is crucial.

Send $10 for an introductory annual membership or $35 for a regular one-year membership plus a complimentary copy of TCCA's handsome, full-color 2' x 3' poster–map of Historic Walden Woods.

Help protect Walden Woods and other significant parts of Thoreau Country. A small effort now. An achievement that will last longer than a lifetime.

For additional information call, write, or fax:
Thoreau Country Conservation Alliance (TCCA)
191 Sudbury Road
Concord, MA 01742–3423
Phone: (508) 369–3565; fax: (508) 287–4301

This Coupon and You Can Save Thoreau Country.

Name

Address

City/ town　　State/province　　ZIP/postal code

Telephone (include area code)　　Fax

Check enclosed (payable to "TCCA")

❑ $10 (Introductory membership)　❑ $35 (One-year membership)
❑ $50　❑ $100　❑ Other $________

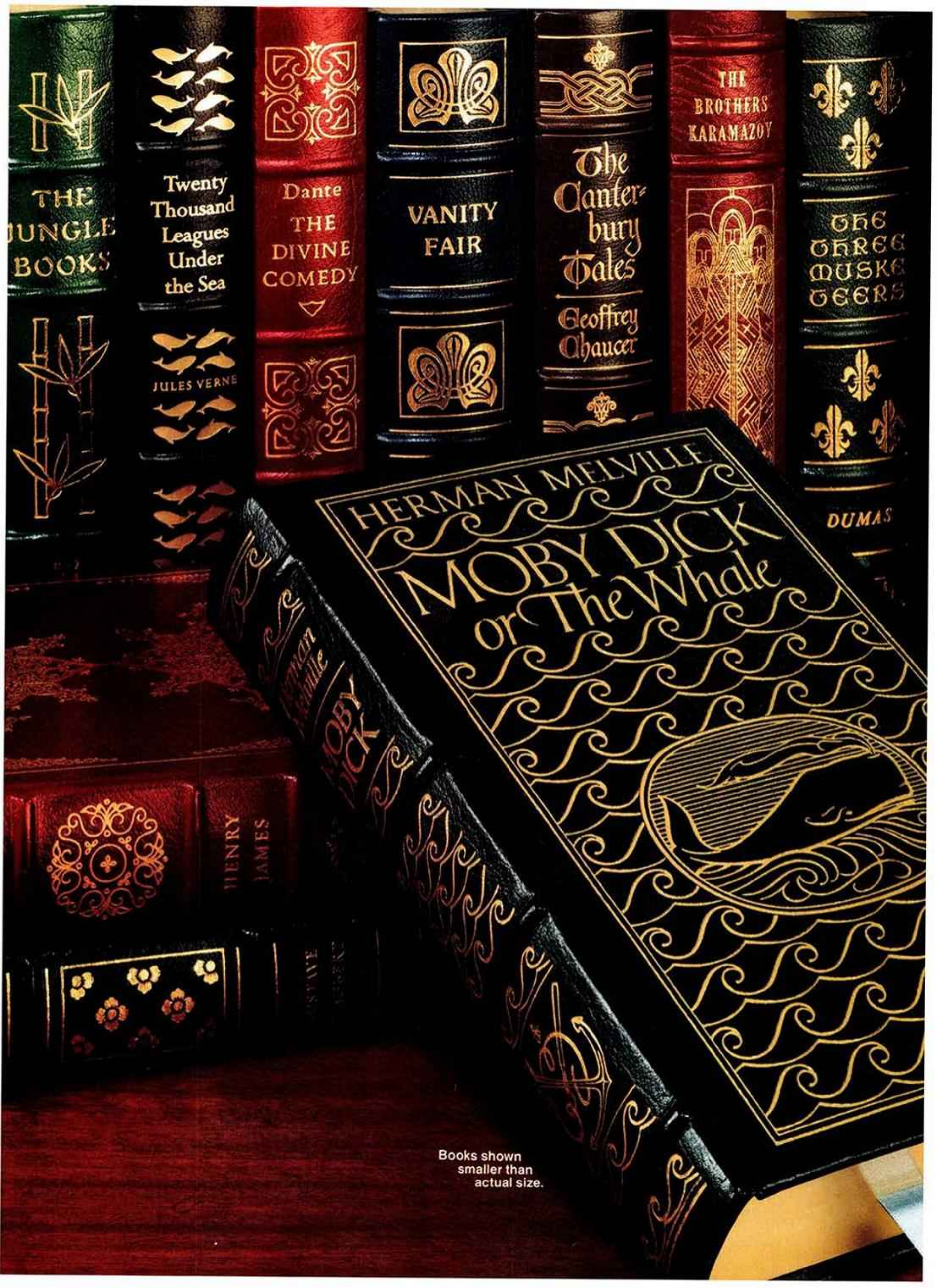
Charge my Visa (16 digits) or Mastercard (13 or 16 digits) for the amount above.

Card No.: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

Exp. date　Name on card　Signature

❑ I am unable to contribute right now, but please keep me informed.

Mail completed coupon and check to TCCA.
Credit card orders may be faxed.



Books shown smaller than actual size.

Own one of these leather-bound books for only $4.95...the price of a paperback!

THE 100 GREATEST BOOKS EVER WRITTEN

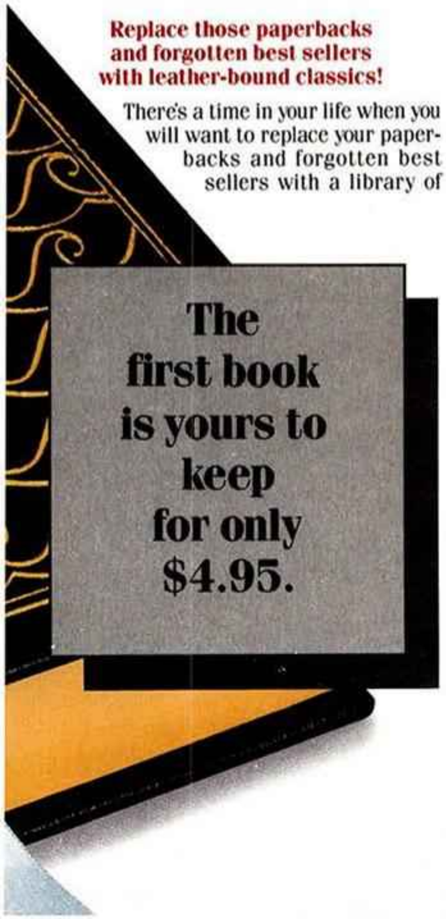
The finest edition you can find of Moby Dick is the great Easton Press leather-bound edition. Now you can have this luxurious book (a wonderful value at its regular price of $39.50) for the price of a paperback—only $4.95—with no obligation to buy any other book. You can keep Moby Dick for $4.95 forever!

Why is The Easton Press making this, dare we say it, whale of a deal? Because we think you'll be delighted and astonished when you see the quality of your first Easton Press leather-bound edition. When you feel the quality of the leather, and hold the heft of the book. When you look at the beauty of the binding, and see the gleam of the 22kt gold inlaid on the spine!

Frankly, we are hoping you will be so taken with this first volume that you will want to own additional leather-bound editions from The 100 Greatest Books Ever Written. But you are under no obligation to do so.

Replace those paperbacks and forgotten best sellers with leather-bound classics!

There's a time in your life when you will want to replace your paperbacks and forgotten best sellers with a library of beautiful and important books. That's what a great library is all about...books so magnificent that they are your pride and joy... a statement about you. And a library of leather-bound books is the best of all.



Each book bound in genuine leather with accents of 22kt gold.

Real Value!

The books in this collection are a *genuine* value, not cheap reprints. Not poor-quality editions in imitation leather. Easton Press editions are the real thing. Real leather editions of the finest quality. Heirloom books elegantly bound and printed on acid-free paper so that they will last for generations.

Yet the cost is not expensive. For little more than the price of ordinary-looking hardcover books you can own these extraordinary editions — books that are admired and collected in 131 countries around the world. Books that you will be proud to display in your home — forever!

Classics by Brontë. Dickens. Dostoyevsky. Shakespeare. Twain.

Who remembers most of yesterday's best sellers? You can be sure the world will never forget the works of Shakespeare, Milton, Dostoyevsky, Dickens, Tolstoy, Twain. These are the greatest authors of all time — represented here by their greatest works! (We include a list of all the titles with your $4.95 book; you then get to choose which books **you** want to receive!)

Each volume is custom-bound for you.

You don't see luxurious leather-bound books in most homes, which is all the more reason you'll be proud to see them in yours! Nor do you see these Easton Press leather editions for sale in bookstores. They are made available directly to you — with no bookstore mark-up and no distribution excesses. This is what lets us keep the price low and the quality high.

Superior craftsmanship and materials go into each Easton Press edition. Premium-quality leather. Acid-neutral paper. Gilded page ends. Satin ribbon page markers. Moiré fabric endsheets. Superb illustrations. Hubbed spines accented with precious 22kt gold.

At just $4.95 you have nothing to lose!

Own Moby Dick for $4.95. For the price of a paperback, own this luxurious edition outright. Then, whether you buy anything further is entirely up to you. Obviously, you get this book for a fraction of what it costs us to make. We do so in confidence that you will be truly impressed.

To take us up on this unusual opportunity, simply call us, toll free, at the number shown, or mail the reservation application below.

CALL TOLL FREE:
1-800-367-4534, Ext.5156E

The Easton Press

© 1994 MBI

Reservation Application

The Easton Press
47 Richards Avenue
Norwalk, Conn. 06857

Yes...send my leather-bound edition of Moby Dick for me to keep forever at just $4.95...and reserve my subscription to The 100 Greatest Books Ever Written. If I like this book, send me further editions at the rate of one per month at $39.50* each—with this price ($39.50) held firm for the next two full years!

I understand you will send me a list of all the titles in the collection. I can tell you which, if any, I do not want, and I am free to tell you then to send me no further books at all if that is my decision. I may return any book within 30 days for a refund, and either party may cancel this subscription agreement at any time.

Here's how I want to pay for my $4.95 Moby Dick and future volumes (unless I tell you to cancel):

☐ VISA ☐ MasterCard ☐ American Express ☐ Discover

Credit Card No. ______ Expiration Date

☐ I prefer to pay by check. ($4.95 enclosed).

Name ______

Address ______

City ______

State ______ Zip ______

Signature ______

All orders subject to acceptance.

*Plus $3.75 for shipping and handling and any applicable sales tax.

1-5156G

THE WORLD&I

SPECIAL REPORT—THE MANY STATES OF TEXAS

- **Introduction** 22
- **Betting on a High-Tech Economy** *Scott Bennett* 24
- **The Four Biggest Challenges** *Richard Seline* 30
- **Republicans Take the Lead** *Tom Pauken* 36

PHOTOS/FOCUS—TEXAS IN CONTRAST 42

WORLD VIEWS—THE OKLAHOMA CITY BOMBING 44

ELECTION '96

- **The Man from the Heavyweight State** *George Archibald* 50

ANALYSIS

- **The GOP and the Special Interests** *J. Bradley Keena* 56
- **Vive le Conservatisme!** *Sarah Chayes* 62

ECONOMIC WATCH

- **Productivity and Prosperity** *Douglas Adie* 68

COMMENTARY

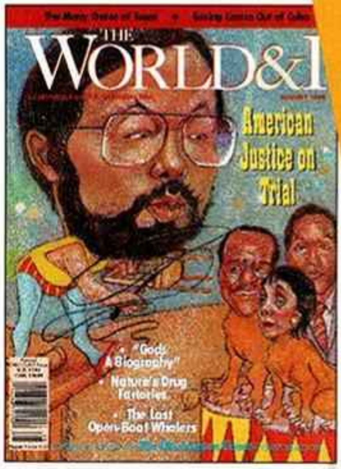
- **TERRORISM IN AMERICA** 70
  - **Let's Take Decisive Action** *Orrin Hatch*
  - **Let's Not Overreact** *Doug Bandow*
- **Easing Castro Out of Cuba** *William Ratliff* 78

MEDIA IN REVIEW

- **A Case of Religiophobia?** *Thomas Johnson and Steve Kaminski* 82

CURRENT ISSUES 20

Texas' Technological Future 22



ON THE COVER

287 AMERICAN JUSTICE ON TRIAL
If O.J. were on trial in Britain or France, the proceedings would be almost unrecognizable. We use the notorious case to compare the relative strengths and weaknesses of the U.S., British, and French legal systems. Cover illustration by Marcia Klioze Hughes / THE WORLD & I.

22 THE MANY STATES OF TEXAS
Ethnically and economically diverse, Texas is now the second most populous state in America. We examine the four great challenges facing its future development and its growing role in national politics.

78 EASING CASTRO OUT OF CUBA
Hoover Institute fellow William Ratliff suggests that Cuba's 1940 constitution, which Fidel Castro once pledged to restore, could be the key to a peaceful political transition on the island. Three Cuban-American congressmen respond.

233 *GOD: A BIOGRAPHY*
Former Jesuit Jack Miles approaches the Hebrew Bible with the tools of literary criticism to reveal a many-faceted God who evolves through the course of the biblical narrative.

222 THE LAST OPEN-BOAT WHALERS
From Lamalera on the Indonesian coast, men still sail out in open boats to pit their strength against their prey, the whale.

154 NATURE'S DRUG FACTORIES
Taxol, used in cancer treatments, was formerly extracted from the bark of the slow-growing Pacific yew. The discovery that fungi growing on the yew also produce the drug has opened the possibility of its commercial production.

16 EDITORIAL
18 LETTERS TO THE EDITOR
336 INDEX

THE ARTS 88

DANCE

Dancing on Thin Ice
Scarlet Cheng 89

ART

The Resurrection of Caillebotte
Cynthia Grenier 96

GALLERY

Larry Kanfer Heartland Images

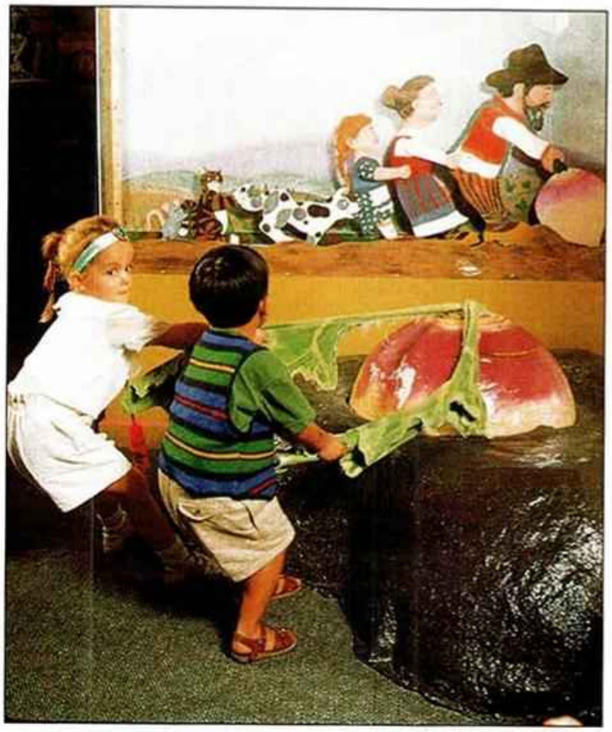
FILM

Pagnol, the Molière of Provence
Elliott Stein 110

MUSIC

Mahler Meets the Corporate Elite
Melvyn Krauss 116

Caillebotte's Paintings Resurrected **96**



LIFE 122

PROFILE

Keeping the Tradition Alive
Insights from Two Modern Iconographers
Robert B. Charles 122

EDUCATION

Making the Most of Museums
How to Visit a Museum with Children
John Elvin 130

COMMUNITY

Hands across the Hedges
Tips on Resolving Neighborhood Conflicts
Barbara L. Malone 138

An Interactive Experience **130**

NATURAL SCIENCE 146

AT THE EDGE

Radio Wave Vision *Hank Hogan* 147

Uncommon Pathway to Uncommon Drugs *Gail Dutton* 154

NATURE WALK

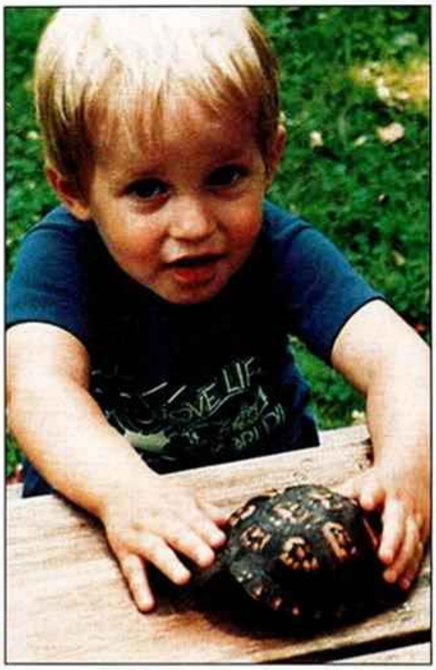
Reptile in a Box *Karen J. Donnelly* 162

CRUCIBLES OF SCIENCE

Beyond the Green Revolution *Dave Tenenbaum* 168

SCIENCE ESSAY

Hitler's Gift to America *Andrew Szanton* 176



Pets in Peril **162**

CULTURE 182

FOLK WISDOM

Good Company
Folklore of the Chesapeake Bay Watermen: Part One
Peter Holden 183

PEOPLES

Yields of Blood and Milk
Camel Husbandry among the Masai
Carolyn Cullinan 190

HERITAGE

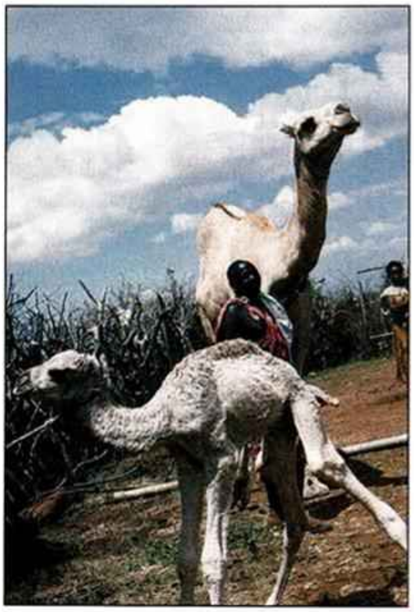
Feeding the Spirits
Minnesota's Wild Rice Harvest
Daniel W. Marshall 200

CROSSROADS

Galloping through Time
The Independent States of Central Asia: Part Three
Ewa Wasilewska 210

PATTERNS

Last Rites at Lamalera
Whaling in an Indonesian Village
Tom Ives and Alison Moore 222



Camels Replace Cattle **190**

BOOK WORLD 232

FEATURED BOOK—EXCERPT

God: A Biography *Jack Miles* 234

FEATURED BOOK—COMMENTARY

An Unauthorized Peek at God
James S. Ackerman 240

A Biography without End
Andrew Wilson 250

REVIEWS

The Enduring Dictator *Thilo Ullmann* 258
Franco: A Biography *Paul Preston*

Fear on the Mountain *Jerry Seper* 265
The Standoff *Chuck Hogan*

Always Faithful? *Brian McCombie* 270
When the Poor Boys Dance *G.F. Borden*

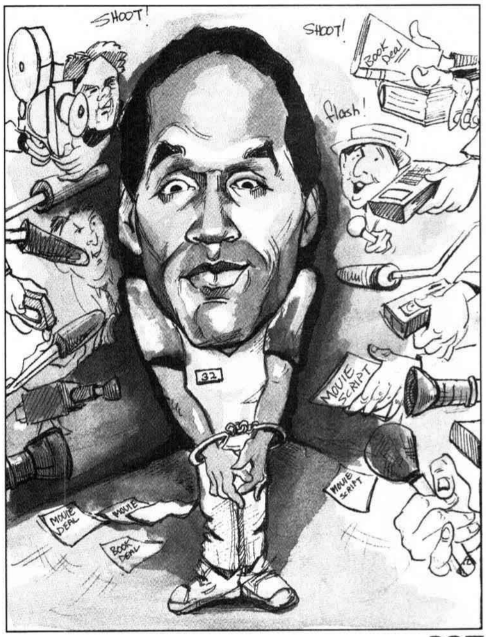
Death Triumphant? *Martinus Bakker* 273
The Carriage Stone Sigbjorn Holmebakk

Working for the Devil *Cynthia Baker* 277
Philip Johnson: Life and Work *Franz Schulze*

BOOKS FROM ABROAD

A Shell-shocked Land *Charles Larson* 281
Sozaboy *Ken Saro-Wiwa*

God: A Biography **234**



Justice Follies **287**

CURRENTS IN MODERN THOUGHT 286

JUSTICE FOLLIES: THE TRIAL OF O.J.

Introduction 287

Adversarial Justice
Franklin Strier 288

Truth on Trial
Tom Carbonneau 304

Justice English Style
J.R. Spencer 314

ESSAY

The Limits of Tolerance
James F. Harris 324

The World & I is abstracted and indexed in *Magazine Article Summaries.* It is also indexed in PAIS (Public Affairs Information Service) and in *Book Review Index.* The opinions expressed in the articles published in this magazine are those of the writers and do not necessarily reflect the opinions of THE WORLD & I management or editorial staff.

GODQUEST

The featured book this month is *God: A Biography* by Jack Miles. As the title suggests, Miles applies the art of biography to the understanding of God. Because the Christian version reorders the books of the Bible to place the prophecies just prior to the books of the Christian era, Miles uses the order of the Tanach, the Jewish Bible, to illuminate how God's character develops in relationship to his chosen people.

Miles rejects both common modes of interpretation: that based on literary criticism—in which the authors of different sections of the Bible present their own versions of God—and the traditional method, according to which apparent contradictions in the presentation of God are reconciled by complex analysis. Instead, Miles contends that God's character was transformed through his transactions with his people, the Jews.

Miles' account is critiqued by Andrew Wilson, who objects to a vision of God that makes his concept of self dependent upon these transactions. Wilson believes that God reveals himself in these transactions but is not subject to development as a consequence of them. I agree with Wilson that God's character does not change over time, but I do not accept his method of reconciling the apparent contradictions in the Bible.

Although I do accept the order of the Tanach, I reject the standard Hebrew interpretation that the Torah is the most sacred part of the Bible. This rejection is related to my interpretation of how the Bible presents God, an interpretation that differs from that of Wilson and other analysts who subscribe to his method of interpretation.

I partly accept the method of literary criticism, although I differ with its conclusions. The evidence that the Bible has different authors—indeed, that Genesis includes two contradictory accounts, which are based upon earlier non-Hebrew creation stories—is beyond reasonable doubt. However, that the Bible accounts can be reduced to the opinions of the authors, I believe, is incorrect. What the literary critics see as the differing views of different authors and what Miles sees as a development in God's understanding of himself, I see as a development in the understanding of God by his chosen people in their Godquest, not a parochial account by individual authors.

Central throughout the Tanach is one constant revealed truth: that any attempt to characterize God directly is blasphemous. Graven images are forbidden. God appears to Moses in the guise of a burning bush. His name must not be pronounced. His motivation is beyond human understanding, although several of the authors strive mightily to understand his motivation. Even the statement that man—literally mankind, for God has no sex—is cre-

ated in his image cannot be taken literally, for that would be blasphemous. I believe a better interpretation is that mankind was created with the ability to form its self-image as God intended and with the free will to reject this blessing and, thereby, to reject God.

Although the prior account of God is a constant, other aspects of Godquest in the Tanach respond to the historicity of humans, who, unlike God, have limited knowledge and limited intelligence. Of course, no creation story could be made out of whole cloth by beings with a history in real environments. The regime established by Moses, for instance, was one that was required if he was to bind a diverse population escaping from slavery in a hostile world. A punishing God, who insisted upon a narrow set of moral and religious rules, met the needs of this people. This still primitive and relatively inexperienced people needed a God who intervened in history, and perhaps he did.

Job was not ready to understand that the underlying, if not manifest, covenant with God was that one would live a moral life in a moral society and as a shepherd who treated all of God's creation with love and respect. How was Job to understand that obeying God was its own reward, without promise of a better life? That this type of understanding evolved by the end of the biblical (Tanach) period is the reason that God does not appear in history in the last books of the Tanach.

The truly human is not Godlike, except in limited ways, but God based. The Faustian urge to become God or like God in some more unlimited fashion is the worst of the blasphemies, challenged only by those who believe that their parochial interpretations of God exhaust his truth. Except when they degenerate into superstition, the mystical strains of Judaism escape blasphemy. Intuitive understanding reveals God's truth to those who open their minds. Elevated and clear minds, with love for God's creation, can then sculpt behavior according to the covenant.

God's love is implicit in our human capabilities. As parents should respect and nurture the independence of their children, God gave us free will in respect of our potential adulthood, no matter how much primitive images of God guided us in our more primitive phases.

The question is whether we are worthy of God's love. If we continue on our present self-indulgent, libertarian course, without respect for the examples we set others—and the need mankind has for selves with duration and stable purposes—we will make a failure even of an omnipotent God and a hell on earth that not even a Dante could have imagined.

Morton A. Kaplan
Editor and Publisher

The Dangers of Drug Legalization

To the Editor:

Former U.S. Surgeon General Joycelyn Elders and others would like to see drugs legalized ["We're Losing the Drug War," June 1995, p. 140], but this nation has already experimented with legalization of heroin and cocaine, and the experiment failed. In 1909, Dr. Lyman Kebler, then chief of the drugs division of the U.S. Department of Agriculture described the pernicious personal and social consequences of drug legalization: "Cocaine, in some cases, transforms safe and otherwise tractable citizens into dangerous characters, and, in most instances, wrecks the individual and all dependent upon him as well as jeopardizing the lives of many. . . . In districts where druggists dispense cocaine, disorder has increased so noticeably that it is commented upon by the neighbors and the police officers on the beats."

Man is by nature a social animal; we need other human beings, and they need us. From these elementary truths, we can understand that we possess social and moral obligations that sometimes require us to subordinate our private, selfish interests and pursuits for the sake of the common good. By keeping drugs like marijuana, cocaine, heroin, LSD, and PCP illegal, the state is asking us to sacrifice a little bit of freedom for the moral well-being of society. This is a valuable lesson for people to learn.

Haven Bradford Gow
Eudora, Arkansas

Courage and Victimhood

To the Editor:

Having once had the honor of meeting Adm. James Stockdale, I took an immediate interest in his article "Master of My Fate: A Stoic Philosopher in a Hanoi Prison" [May 1995, p. 420]. I wasn't disappointed.

Writing with a scholarly yet readable touch uncommon among professional military men, Stockdale reminded me that the unexamined life may suffice under normal conditions but not for the extraordinary circumstances the admiral faced. His captivity in North Vietnam—at the hands of a ruthless enemy determined to enslave not only his body but his spirit—placed demands on him impossible for most of us to imagine.

I am not a Stoic. Stockdale is. Apparently this is what got him through what he had to endure. So if I am ever under as much stress as he was, I would hope to be able to draw upon the same quality of inner strength that he did. As the admiral notes, Stoicism has immense practical value; it is no mere intellectual exercise. Its value is most evident when, as he was, we are challenged to endure the unendurable and to be master of our fate.

This, of course, is highly unfashionable in today's sociopolitical climate, especially among the leftish intellectual elite who have gradually destroyed the ideals and moral certainties that give us, every now and then, someone of Stockdale's stature. Late-twentieth-century America exalts not self-control and discipline but victimhood—with one self-proclaimed "oppressed" group after another claiming special rights derived from its

alleged special suffering. What baloney.

Stockdale, simply by relating his personal experience, implicitly shows us the moral bankruptcy of these claims. He places before us the noble words of Epictetus as a corrective: "There can be no such thing as being the 'victim' of another. You can only be a 'victim' of yourself. It's all in how you discipline your mind."

Accordingly, he refused to be a victim, even under the most brutal treatment while he endured solitary confinement, in leg irons, for two years. And he refused to be a victim while being tied up with tourniquet-tight ropes, hands behind him, jackknifed forward and down toward his ankles, which were held in place by lugs attached to an iron bar. Instead, he led, mainly through his own example, a determined resistance on the part of the men under his command to the tyranny and inhumanity imposed on them by their captors.

When I think that life is a little too tough for me, I think of Stockdale and what he and those other heroes went through. I think of what it must have required of them to earn the grudging respect of the enemy commander who told them: "You Americans were nothing like the French; we could count on them to be reasonable."

We live unfortunately in a time and place that denigrates and mocks heroes. So Stockdale has never gotten his due. But his example reminds us that, for all the cynicism that is so fashionable, particularly in trendy intellectual circles, there are still giants among us and no one except ourselves can make us into victims.

Carl Ryerson
Laurel, Maryland

We welcome your comments on any of the many topics covered each month in the magazine. Letters may be edited for space and clarity. Please include your name, address, and daytime telephone number. Send your opinion to:

Letters to the Editor
THE WORLD & I
2800 New York Ave., NE
Washington, DC 20002
E-mail: 276-1932@MCIMail.com

TABLE OF CONTENTS

SPECIAL REPORT—THE MANY STATES OF TEXAS

Texas remains an economic heavyweight, but the state faces serious problems, including an aging infrastructure and burgeoning immigration.

22 **Introduction**

24 **Betting on a High-Tech Economy**
Scott Bennett

30 **The Four Biggest Challenges**
Richard Seline

36 **Republicans Take the Lead**
Tom Pauken

42 **PHOTOS/FOCUS—TEXAS IN CONTRAST**

44 **WORLD VIEWS—THE OKLAHOMA CITY BOMBING**

ELECTION '96

50 **The Man from the Heavyweight State**
George Archibald
California Gov. Pete Wilson comes to the GOP presidential nomination race packing heavy artillery—but with heavy liabilities as well.

ANALYSIS

56 **The GOP and the Special Interests**
J. Bradley Keena
The Republicans' Contract with America embodies lofty goals like dramatic reductions in spending and government, but some members of the new Congress have given in to special interests.

62 **Vive le Conservatisme!**
Sarah Chayes
New French President Jacques Chirac is expected to pursue policies that will make France a close U.S. ally—though at times a prickly one.

ECONOMIC WATCH

68 **Productivity and Prosperity**
Douglas Adie
Pursuing policies that boost long-term productivity makes more economic sense than striving for short-term reductions in unemployment.

COMMENTARY

TERRORISM IN AMERICA

70 **Let's Take Decisive Action**
Orrin Hatch
Now is the time to redouble our efforts to combat terrorism and protect American citizens.

71 **Let's Not Overreact**
Doug Bandow
There are already enough laws on the books to handle terrorism.

78 **Easing Castro Out of Cuba**
William Ratliff
Can Cuba's explosive situation be defused by reinstituting the 1940 constitution?

MEDIA IN REVIEW

82 **A Case of Religiophobia?**
Thomas Johnson and Steve Kaminski
Network news shows tend to be hostile to religion, but there has been a recent improvement in depictions of faith on TV entertainment programs.

BOB DAEMMRICH PHOTOS

■ ***The Texas House in action:*** **Will the state legislature go Republican, too?**

SPECIAL REPORT

The Many States of Texas

Look out, America, here comes Texas. This year, Texas officially passed New York as the second most populous state in the union, with over 18 million residents.

And Texas remains an economic heavyweight. It accounts for 25 percent of all U.S. oil production and two-thirds of the nation's petrochemical capacity. By the year 2010, Texas-Mexico trade is expected to pass the $150 billion mark—equal to all current U.S. trade with Japan.

Texas has the biggest cattle ranches, the largest medical center, and the most important space center in the country. In fact, Texas is really not one state but six, ranging from Austin, now ranked second behind California's Silicon Valley in computer-related jobs, to Midland, the quintessential oil town.

Despite a generally encouraging picture, Texas faces serious problems, including the need for economic diversification, an aging infrastructure, and burgeoning illegal immigration.

According to analyst Scott Bennett, the Texas economy of tomorrow will owe little to the past. Oil, gas, rice, and cotton were the staples of yesterday, but technology and trade will dominate the state's economy in the future. In contrast to the dark predictions of Ross Perot, most Texans see NAFTA (the North American Free Trade Agreement) as a positive development that will open up a vast new market for Texas.

Because Texans believe in self-

reliance and self-governance, argues economist Richard Seline, the state is a haven for entrepreneurs. Yet many of Texas' best assets—universities, medical centers, research and development programs, infrastructure, and consortia—have significant state and federal support. Better than most states, Texas seems able to balance its private and public sectors.

For example, while California struggles with a serious immigration problem, state and local officials in San Antonio, Houston, and Dallas respond effectively to the health, work, and education demands of immigrants, both legal and illegal.

Texas politics has undergone a major transformation with the election of a new Republican governor (George W. Bush), Democrats scrambling to retain control of the state legislature, and Sen. Phil Gramm competing for the 1996 Republican presidential nomination.

Although Governor Bush is riding high in public polls, cautions Tom Pauken, chairman of the Texas Republican Party, his failure to bring state spending under control and his decision not to press for property tax relief may return to haunt him. Meanwhile, thanks to President Clinton's continuing unpopularity, Republicans are on the verge of becoming the majority party in Texas, being only 2 votes short of a majority in the state Senate and just 14 votes in the House.

Whether and how Texas solves its economic and social problems will affect not just the future of our No. 2 state but that of the nation.

—The Editor

JOHN ELK III

COURTESY OF TEXAS DEPARTMENT OF AGRICULTURE

■ ***A land of contrasts:*** **(Top) Dallas is a leader in computers and telecommunications. (Bottom) The largest cattle ranches in the country are found in Texas.**

Betting on a High-Tech Economy

The Dallas–Fort Worth area, with its concentration of high-tech firms, has become known as the Silicon Prairie.

SCOTT BENNETT

There is a new boom in Texas. No, it is not an uncontrolled expansion, the likes of which shattered the state's economy and social fabric during the mid-1980s. That boom was built first on an oil bubble and then on a bubble of real estate speculation. This time, it more nearly resembles the steady, solid growth of the late 1960s and early '70s. That is, today's expansion seems built on the state's natural assets, not speculation.

Texas paid a high price for ignoring the laws of economics. Every hometown bank of consequence vanished into the jaws of the Federal Deposit Insurance Corporation. Hundreds of family fortunes sucked from the oil-soaked Texas earth evaporated. And as if the oil and real estate busts weren't bad enough, the semiconductor and agriculture industries had also gone into a down cycle by the late eighties. Texas was in a depression.

To understand the future of Texas, one must understand its past. The old Texas still lingers, but it is a cultural thing. The economy of today and tomorrow will owe little or nothing to the state's past.

Before the bust, Texas' social, economic, and political structure was much like that of Japan (and a lesson may lie here). The state's economy may have its roots deep in the soil, but the institutions of power were the banks. Even before Texas allowed the big-city banks in Dallas and Houston to become holding companies, the bank was the center of power in every city and hamlet.

But the big banks were something else again. In Dallas, every bank had its house law firm, and in Houston every law firm had its house bank. In the early 1970s, *D Magazine* chronicled just how interconnected the city's good-old-boy banking empires were with their good-old-boy customers. When a customer got into trouble, the banks would arrange contracts from other customers.

The banks also had their own set of civic organizations, on whose boards they placed their customers and directors. In Dallas, the old First National held Southern Methodist University as its fiefdom. Upset with that school's direction, Republic Bank and its customer Texas Instruments had the legislature create a University of Texas at Dallas. Indeed, each bank invested in its own set of politicians, with Dallas banks specializing in Dallas politics and Houston banks specializing in Texas and national politics.

Texas in those days was largely an oligarchy, from the rural aristocracy to the metropolitan aristocracy. A handful of closely held trade associations called the legislative tune and

conspired with a compliant bureaucracy. The oligarchy brilliantly managed to dominate a Democratic statehouse with Republican presidential preferences.

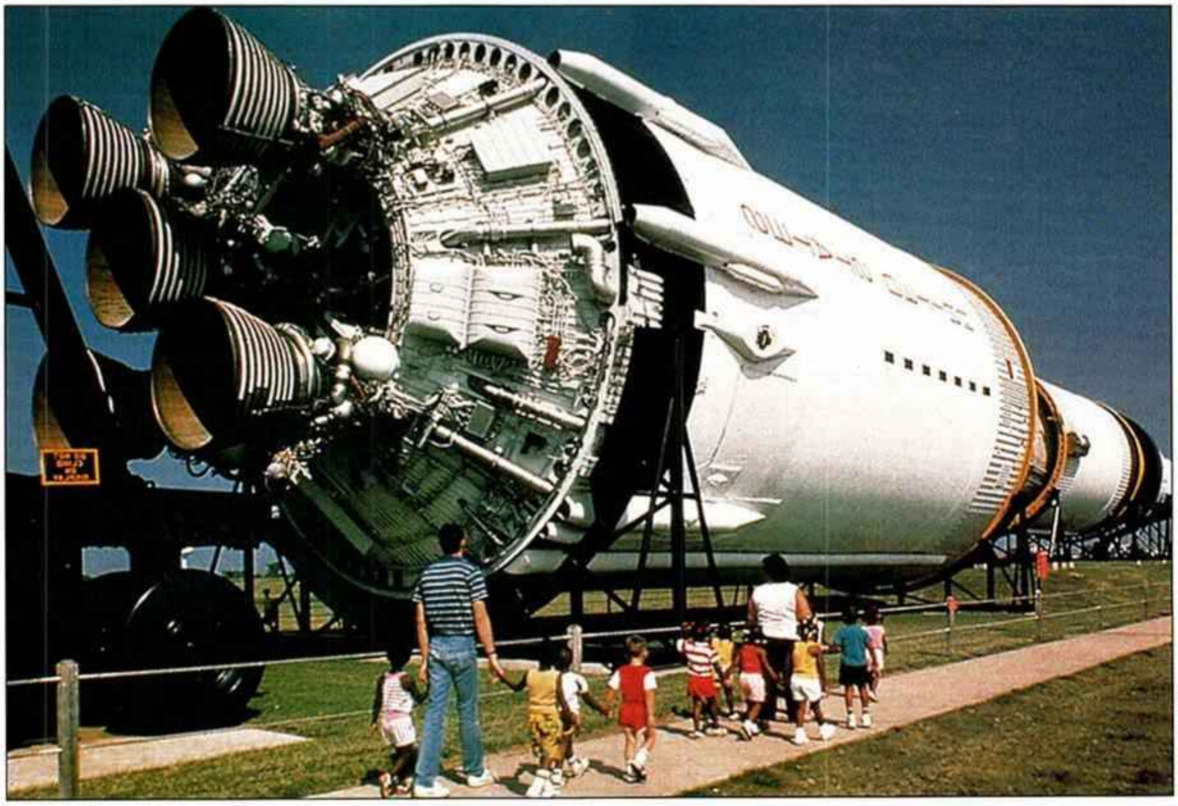
This incestuous relationship was more important than merely providing friendly service to deserving businesses. Texas' state regulations and the views of its congressmen were best regarded as a foreign policy. Regulations were written to protect markets from invasion by outside firms, to protect firms from competition by powerful out-of-state interests, and to see that federal policy protected Texas economic interests (ownership of offshore mineral rights) while bringing home as many federal dollars as possible.

But the bust ended most, if not all, of this. To do business in Texas, you must now do your banking business with folks from North Carolina, California, Ohio, and New York. There are no good-old-boy circles you can join to ensure a steady climb up the ladder. Redlined by lending institutions and the feds for a decade, many Texas developers and oilmen have faded, leaving the new boom in the hands of youngsters and newcomers.

Then there is the matter of the land. In the closing lines of his book *Lone Star*, historian T.R. Ferenbach defined Texas as "land" and opined that when the land no longer mattered, Texas, too, would be gone with the wind. Today, the land still matters but less and less.

Cattle and oil

There are still plenty of derricks, but Texas oil carries high lifting costs and many wells operate at a loss. Yes, there are still a billion or so known barrels of the



COURTESY OF NASA

■ *NASA's rocket garden:* **Houston may see its Johnson Space Center projects deeply cut.**

The Texas Economy

★ Oil, gas, rice, and cotton were the staples of yesterday.

★ Technology and trade will dominate the state's economy in the future.

★ Texas has the biggest cattle ranches, the largest medical center, and the most important space center in the country.

stuff deep in the Texas earth, but 1979's oil-price predictions will have to become reality before it can be turned into profits. Moreover, a whole generation of oil types, from wildcatters to geologists to roughnecks, has passed on, leaving expertise rare and costly.

There are plenty of cattle, too, and cotton fields and tall timber in the piney woods. Indeed, agribusiness is likely to remain a major economic player for the foreseeable future, and as long as that is true, some of the old, real Texas will linger. But as a portion of the economy, agriculture has shrunk from nearly 22 percent as late as 1975 to a mere 11 percent today.

Petroleum, too, will remain a mainstay. But not the wildcatter industry, where yesterday's hobo with a grubstake could dig shallow and become an instant millionaire. Those fortunes are made today by Texas lotto bettors. The state's oil and gas future rides a high-tech wave.

Houston remains the energy capital of the world, but affordable oil is no longer to be found in Texas. The state still manufactures most of the energy industry's hardware and is home to much of its software. Texas has become a major center of the burgeoning environmental mitigation and reclamation industry, which found the energy companies its customers of greatest need.

One need only look at the rapidly growing economies of Latin America and East Asia to realize that oil prices will rise again in the foreseeable future. Yes, there are plenty of reserves in the volatile Middle East, plenty of ready oil in Iraq and Iran now held off the market by politics, and probably plenty of untapped reserves in parts of the late Soviet Union that Houston can help tap. But unless oil and gas can be largely replaced by some as-yet-uninvented technology, Texas will continue to reap the benefits. After all, oil at $20 a barrel is better than no oil at all.

Real estate, too, has made a comeback, for a number of reasons. As the Chamber of Commerce likes to tout, Texas has a Central Time Zone location, great air connections that are equidistant from the two coasts (and London and Tokyo), no personal or corporate state income tax, a superb transportation infrastructure (air, land, and water), minimal and business-friendly governmental regulation, and a young, eager work force. And though you can fry eggs on a Texas sidewalk in August, you don't have to shovel sunshine.

The high-tech boom

Other assets serve as industrial attractors that are fueling the boom. Even in the heyday of the good-old-boys, bright minds made good investments that are still paying dividends. Once, the Houston Medical Center, just south of downtown, hardly rated a mention in chamber brochures. Now it is an economic asset, providing 50,000 jobs, funding cutting-edge research, and winning international acclaim. The University of Texas Southwest Medical Center in Dallas boasts four Nobel Prize winners. The Woodlands development north of Houston is a forest of biotech firms, and the hills north of San Antonio's University of Texas Health Science Center are also home to new health-service and biotech firms.

The Dallas-Fort Worth area has seen an explosion of high-tech

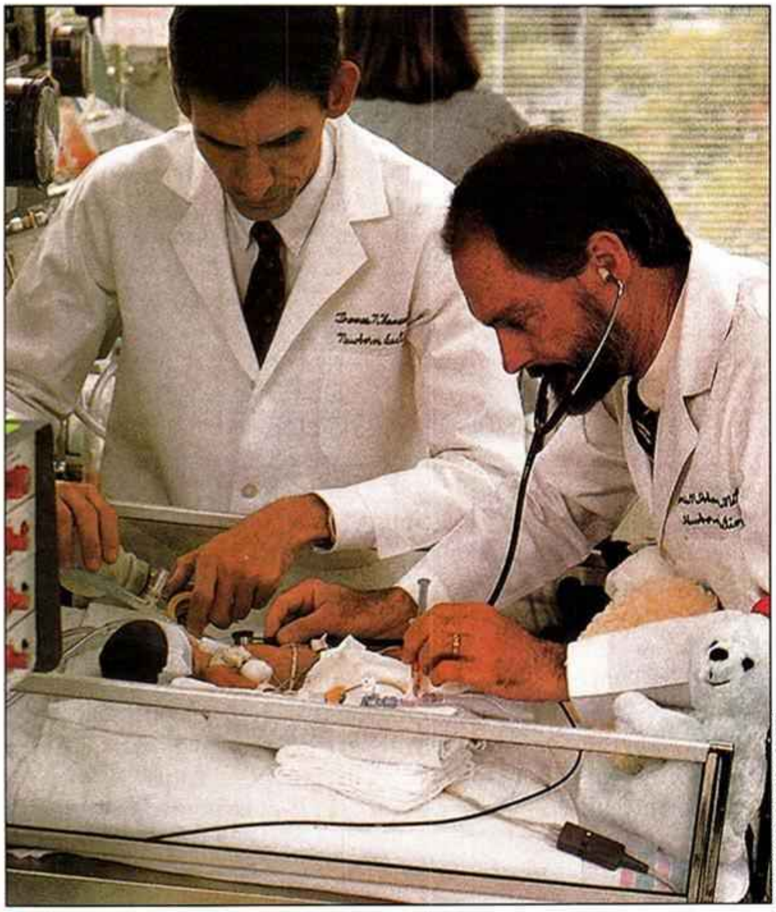
firms on what has become known as the Silicon Prairie. Many started as spin-offs from Texas Instruments or the mysterious defense contractor E-Systems. These firms allow the region to boast a concentration of high-tech firms second only to Silicon Valley. And if Houston is the energy capital of the world, the Dallas suburb of Richardson has become the telecommunications capital of the world, just in time to catch a telecommunications revolution wave. Virtually every major telecommunications player in the world has a major facility there.

The stretch of interstate leading from Georgetown, just north of Austin, to San Antonio has become known as the Silicon Trail. The area has become what *Megatrends* author John Nesbitt predicted it would: one of the five top high-tech locations in the country.

Two other events also figure in Texas' economic future. The first is the recent deregulation of trucking. In most states, trucking rates for delivering merchandise from point to point within the state are of no consequence because the points are close together. But in Texas, where hundreds of miles stretch between the 21 metropolitan areas with more than 100,000 inhabitants, intrastate rates are the stuff of big-time power struggles.

For most of the postwar era, these rates were regulated by the Texas Rail Road Commission, the same folks who used to regulate world oil prices. It was that body's wisdom that entry into the intrastate market should protect large trucking companies and provide them with high rates. The upshot was that it was often cheaper to ship goods from Houston to Shreveport, Louisiana, for an overnight stay, and then back to Dallas, than to send them straight from Houston to Dallas. The second upshot was that Oklahoma, Louisiana, and Arkansas found themselves home to many distribution centers that would otherwise have been built in Texas.

Now, thanks to federal legislation, that will change. Rates within Texas will be just as cheap, or more so, as rates to ship out of state. That should fuel a boom in warehouse and industrial building in places like Dallas, Tyler-



COURTESY TEXAS MEDICAL CENTER

■ *Neonatal care:* **Texas Children's Hospital in Houston is increasing its facilities for research, critical care, outpatient care, and support services, which will make it the largest pediatric medical complex in the United States.**

Longview, and Beaumont. Indeed, Texas' future as a national warehouse seems assured.

★★★★★★ The Lone Star State ★★★★★★

Capital	*Austin*
Governor	*George W. Bush*
Motto	*Friendship*
Land area	*261,914 square miles*
Number of counties	*254*
Population	*18,031,000*
Largest cities	*Houston, Dallas, San Antonio, El Paso, Austin, Fort Worth*
Gross state product	*$303.5 billion*
Service businesses	*449,870*
Retail businesses	*173,677*
Unemployment rate	*7.3 percent*

Trade

Then there is the North American Free Trade Agreement. Texans have always looked on their proximity to Mexico as a mixed blessing. To be sure, there were the affordable beaches of Acapulco and Mazatlán a short plane ride away. There were also hordes of middle-class and wealthy Mexicans roaming the gallerias of Houston, Dallas, and San Antonio in search of consumer goods unavailable at home. And there was the Mexican flight capital that purchased safe-haven homes and provided safe-haven bank accounts in Texas banks.

But there was (and is) drug smuggling and gunrunning across the border and the mixed blessing of cheap *bracero* labor. And there was (and is) the possibility of a social upheaval that would send a human tsunami flooding north onto the welfare system of Texas.

But Texas is not California. Native Anglo Texans have always been more comfortable with Mexico, its culture and people, than were the rootless Anglos who flooded California after the war. There were, after all, a good number of Hispanics inside the Alamo. The Texas oligarchs of yesterday may have exhibited their fair share of prejudice toward poor Mexicans, but they were always at home with the Mexican elite. Many Texas businessmen are more at home in Mexico City than New York City.

Mexican-American politicians in Texas are more conservative and more inclined to play ball with business than are their counterparts in California. In the state legislature, they have paid far more attention to economic development than welfare. And though a substantial majority of Hispanic voters in Texas still identify themselves as Democrats, a decent minority votes Republican and Hispanic Republicans have won elections in such Democratic strongholds as San Antonio and the Rio Grande Valley.

The result has been an avoidance of the Proposition 187 antagonisms that infest California. Polls consistently show little support for cutting off educational and other benefits for illegal immigrants and great support for educational investment. The state's new Republican governor, George W. Bush, is on record as opposing any Proposition 187–style measure, and no such measure was even introduced in the recently concluded session of the legislature.

H. Ross Perot notwithstanding, most Texans see NAFTA as opening up a vast new market that will primarily benefit Texas. Given that almost 50 percent of current U.S. trade with Mexico originates in Texas and another 30 percent passes through the state, this would seem to be more than wishful thinking. The recent collapse of the peso and the severe Mexican recession have not dampened Texans' enthusiasm for NAFTA, although they certainly have provided a sober reminder of the state's recent experience with speculative bubbles.

Assuming a middle and muddled path to a Mexican recovery, Texans expect that, within five years, NAFTA's potential will

begin to be realized. That will mean yet one more reason to have facilities in the Lone Star State.

Another reason for optimism regarding the state's economic future is—remarkably to many—Texas politics. The oligarchs are basically extinct, but the political heritage they left lives on. Texas may be a two-party state, competitive at almost every level, but it remains conservative and more probusiness than most states. In the recent session of the state legislature (something inflicted on Texans just 140 days out of 730), tort laws were reformed.

Yesterday, Texas was a risky place to do business if you ran afoul of product liability or deceptive trade laws. Tomorrow, it may be one of the most fair. Although property taxes are becoming burdensome for small businesses and homeowners and consumption taxes are at their limit, there are no income taxes at any level and—given the political climate—not likely to be for many years to come. Indeed, the current economic growth rate should allow the state to avoid any tax increases for the foreseeable future.

There are problems, of course. The state's defense industry is greatly shrunken from its Cold War heyday and will likely continue to shrink. Every new base closing commission brings new threats to Texas military installations, some of which are the lifeblood of their communities. Texarkana may lose its Red River Arsenal, and San Antonio may lose its Air Force base. Given that the base closing act was fathered by House Majority Leader Dick Armey, there appears little the state's powerful Republican House delegation can or will do.

Once, the Cold War's ongoing defense appropriations helped the state ride out national recessions with mild consequences. No more. Other cuts in government spending will sock it to the state. Dallas has already lost the superconducting Super Collider, and Houston may yet see its Johnson Space Center projects cut deeply or axed. Cuts in agricultural subsidies may hit Texas agricultural interests hard. And efforts to cut federal funding for various types of welfare will place a much greater burden on the state's already very limited social welfare structure.

The greatest source of concern, however, is the rumbling Mexican volcano. Texans hope that their neighbor will, within a few years, return to the economic asset it was supposed to be. But if Mexico's situation ever erupted into massive social upheaval, Texas could become a decidedly uncomfortable place to do business and be overrun by immigrants fleeing disaster.

To Texans of long standing, the return to solid growth just short of a hyperboom is welcome. The wildcatter's gambling impulse is now seen in better perspective. Texans are also learning that the muscle economy of yesteryear must be replaced by a brainpower economy for the next century.

According to Ferenbach, Texas was defined by the attachment of Texans to the land. The roots of the economy no longer dig deep into the earth. What Texans still have is a sense of place stronger than just about any other in the United States. That "place" may have more than its share of myths, but part of the myth is the hardscrabble rancher, the roughneck wildcatter who perseveres and hits the jackpot. The state and the people have just been through the hardest of times. They have survived, as always, and are poised to persevere, more strongly than ever.■

Mexican-American politicians in Texas are more conservative and more inclined to play ball with business than are their counterparts in California.

Scott Bennett is a former member of the Dallas Morning News *editorial board and is currently a Dallas-based management consultant for and executive vice president of E. Bruce Harrison Companies, a Washington, D.C.-based consulting firm.*

The Four Biggest Challenges

Texans need to find answers to the problems of education, immigration, the environment, and infrastructure.

RICHARD SELINE

Unlike some states, which have only 1 or possibly 2 major urban centers, Texas has 5 of the 25 most populous metropolitan areas in the United States (Houston, Dallas/Fort Worth, San Antonio, Austin, and El Paso).

In reality, Texas is five regions reflecting different characteristics of industry and business growth, and Texas has a geography and quality of life that includes beaches and mountains, deserts and urban centers—all within two hours of each other by air. These features offer a variety of attractions to different business types—not just for headquarters relocations but for research and development projects as well.

The demands placed on a state government that must contend with strong urban issues, and yet protect the interests of suburban and rural constituencies, reflect the underlying conflicts between these regions. The legislature must deal with a diverse regional representation of ethnicities and income levels.

The political pendulum has swung toward conservative rural Democrats and suburban Republicans over the past 10 years. This has led to a perception among the business community, particularly in urban areas, that there is a rural bias in the legislature and a disjointed urban agenda, although nearly 85 percent of the state's population lives in the urban centers. The state's physical size has encouraged, sometimes complementary and at other times competitive, regionalization.

It would appear that one of the hurdles to a state's competitiveness could be physical size. California, New York, Florida, and Texas are large states with differing geographic demands. Reference is often made in conversation that one region or city never relates to another, or that upstate never communicates with downstate. This is typified by the competition between South Texas and other areas of the state for higher education and public works dollars.

On the plus side, Dallas considers itself a beneficiary of NAFTA as much as San Antonio does. Houston and Dallas, on the other hand, still have unspoken competition in some industries, especially in the construction of major, world-class medical centers that serve national and international patients.

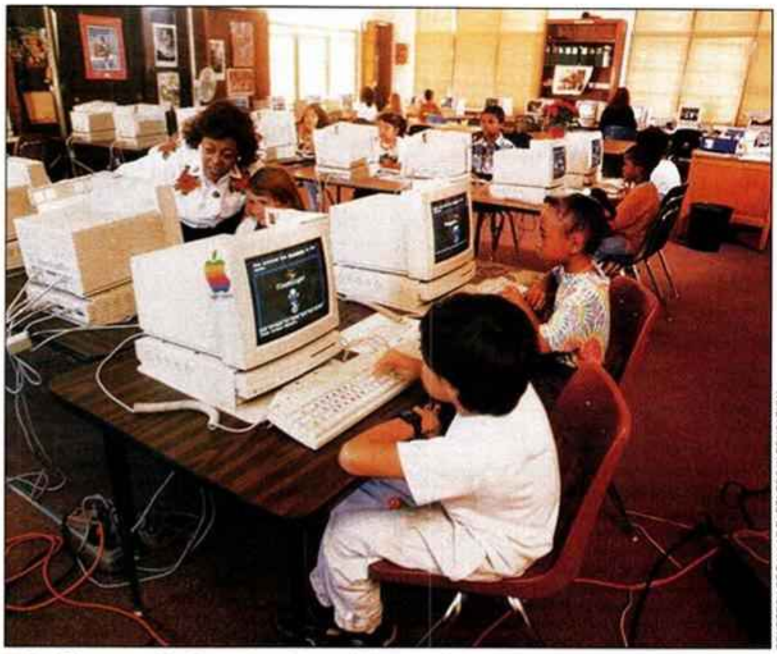
There are commonalities across the regions that will serve Texas well into the future: no more reliance on a single-commodity industry (oil); increased exportation of goods and services; growth of jobs in which thinking labor replaces manual labor; and a ready supply of inexpensive, mobile workers filling jobs along a broad spectrum of positions and

incomes in the various cities and regions. Regional diversification within Texas has afforded offsetting swings in business production and revenues, and this has fostered a somewhat stabilized revenue base for state government.

However, there are also negative trends tied to Texas' regionalization. Namely, different businesses and industries place varying demands on state government. The urban cores have diverse economies (software, telecommunications, biomedicine, biotechnology, tourism), while smaller cities are still seeking their economic niches. For example, Laredo, Lubbock, Midland, Tyler, and Victoria must often make their own way through geographic strategies (feedlots, water ports) or rely on technical capacities that link them with servicing cities (border bridge crossings, telemedicine).

What does regional/economic diversity mean to the business climate? First, it contributes to the evolution of Texas' new economy. White-collar job growth has steadily increased over the past decade in technology sectors, while blue-collar employment has exploded in service-related jobs. Texas and Florida are the nation's leading job producers. For Texans this means expanding opportunities, albeit maybe not at a desired wage level.

The nature and location of future job growth is still a concern, since the failure to match population growth with quality jobs might have a negative effect by increasing government employment and demands for welfare services. Simply stated, the promise of a job in the future does not necessarily translate into wages that will keep pace with inflation.



COURTESY OF DALLAS PARTNERS IN EDUCATION

■ ***Dallas pupils:*** **Despite the millions of dollars spent on "stay in school" projects, public education in Texas is still facing problems.**

Second, the payoff from emphasizing technical skills in schools (secondary and higher education) has been the successful attraction of electronic, software, and telecommunications companies. Knowledge workers will be in demand through the next decade as technology sectors expand in Texas. A significant concern for the business climate is work force training and education in general, which, according to surveys and interviews, are still considered to be inept, disconnected, and suffering because of a lack of world-class public schools.

Consequently, Texas businesses are spending millions of dollars for privately conducted worker retraining, remedial education, and skill development, while nearly 30 state programs cost $1.4 billion but serve less than 275,000 "clients" each year.

Education

Despite increases in test scores and numbers of graduates and the millions of dollars spent on "stay in school" projects at the local and state level since 1990, public education in Texas is still not achieving success. It may not

be just the numbers that are important to industry and to the business climate, however. It is not that Texas businesses care less about dropouts today than they did 10 years ago, but they are more concerned about work force quality and the range of alternatives offered to students (technical over advanced skills, associate over four-year college degrees).

In the worse period of the state's economy—the recession of the early 1980s—state leaders increased public and higher education investments, raised record amounts from individuals and private foundations to fund chairs and faculty positions in critical industrial and economic subjects, and established the state's first technology program through its university systems.

Bilingual education continues to serve the needs of some areas of the state, with more Anglos taking Spanish today than ever before. The recent session of the Texas legislature passed education reform laws that will give local districts greater oversight of their resources and curriculum, increase teacher pay, and begin to reduce administrative dollars in lieu of student/classroom expenditures.

The challenges that still beset Texas are similar to those in other states: the need to consolidate duplicative administrative services at the school district level, reduce the number of four-year colleges as student populations shrink, construct an alternative plan for high school to work options, and utilize community and polytechnical schools in the work force training arena.

The Four Problems

Education: Texas businesses are spending millions of dollars for worker retraining, remedial education, and skill development.

Immigration: The flow of legal and illegal immigrants from Mexico continues to challenge the state's welfare and social service budgets.

Environment: Farmers, ranchers, and business leaders are weary of EPA rule making and congressionally imposed mandates.

Infrastructure: Texas may not be able to maintain or construct adequate infrastructure to keep pace with its population growth.

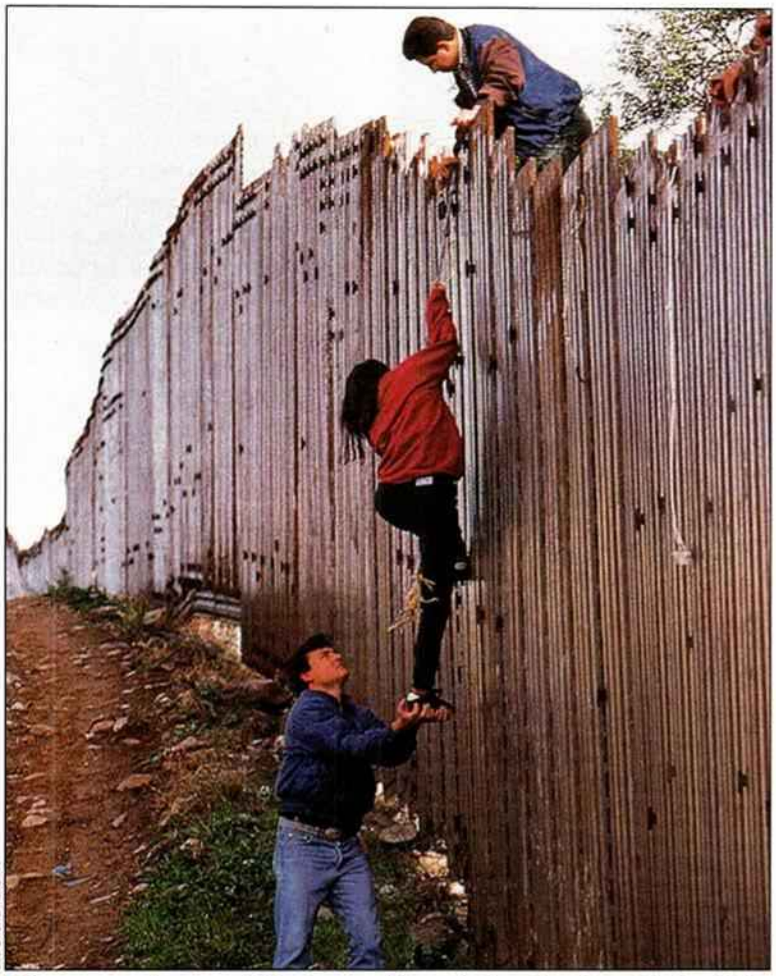
Immigration

Texans watched with some amusement and amazement as California wrangled with its immigration laws these past few years. Nearly 20 years ago, the state was handed a federal opinion that all immigrants—legal and illegal—must receive a public education. At the time, most of the immigration population entering Texas was migrant workers in the Rio Grande Valley.

In the 1990s, most immigrants entering Texas are extending their stay beyond the allotted period, not through illegal crossings along the Texas-Mexico border but through a green card/work visa. Much debate has been initiated by former Rep. Barbara Jordan's White House immigration task force. It identified illegal immigration as the resource for inexpensive labor in certain job markets and industries.

Texans, however, have a long cultural and historical link with Mexico, and therefore, temporary workers entering the state have become welcomed laborers for many jobs that other Texans will not take. The resulting impact of families joining their parents as incomes grow and Mexico's market economy struggles will continue to challenge the state's welfare and social service budgets.

While many business and political leaders explain that resolving the immigration issue resides in federal policies, the


LES STONE / SYGMA

■ ***A recurrent scene at the border:*** **Texas is burdened by the health, work, and education demands of immigrants, both legal and illegal.**

day-to-day response to health-care, work-force, and education demands is felt at the state and local levels, especially in San Antonio, Houston, and Dallas.

Environment

Texans are very independent from both government intrusion and fiat. Land-rights opponents, farmers and ranchers, and senior business leaders have grown weary of EPA rule making and congressionally imposed mandates. Texas' congressional delegation is taking the lead in passing changes to both the Clean Air and Clean Water Acts, as well as effecting significant restrictions on federal mandates.

With House Majority Leader Dick Armey and Majority Whip Tom Delay in senior positions, Texans' concerns for a balanced environmental policy have been heard. At the state level, consolidation of various environmental agencies and oversight authorities has become a national model. Yet, there are still conflicting regulatory responses, and the state is one of a few that still do not have an office of business ombudsman available to small- and medium-sized companies struggling with compliance.

Infrastructure

With a state as geographically large as Texas, good roads, highways, bridges, and airports are critical for business growth. Through the late 1980s, Texas had one of the largest state commitments to infrastructure. But beginning in the early 1990s, and expected to continue through the early 2000s, Texas may not be able to maintain or construct adequate infrastructure to keep pace with its population growth.

The devolution of block grants back to the state may not have a positive impact on Texas if such block grants are formula-driven rather than need-driven. Therefore, the state and local shares of the infrastructure costs will have to increase to keep pace with the growth, much less the upkeep, of a deteriorating road system.

Unlike other states, regional and local emphasis on public transportation has not moved to the state level. Houston and Dallas city and county governments have made significant commitments to bus and rail systems,

■ ***Will the wetlands be preserved?*** **Texas is seeking a more balanced environmental policy.**

leveraged with federal dollars. As those federal contributions are expected to be reduced during budget-balancing periods, Texans will be called on to fund additional infrastructure construction through a combination of user fees, surcharges, taxes, and private tolls.

The *Texas 2000 Report* identified warning signs from an early 1980s perspective. Concerns for the state's future, then like today, inevitably centered on the size, functions, and financing of state government. In focus groups, tax and finance discussions ultimately led to debates on efficiencies, managerial techniques, and service provision.

Business executives, concerned with the size and functions of state government, expressed a willingness to advise state leaders on reinventing and downsizing strategies. Many senior business people expressed the view that "we had to downsize in the 1990s to be competitive, [so] why hasn't government followed suit?" According to the Center for the Study of the States 1994 report, the national employment growth rate in the public sector outpaced that in the private sector by nearly two to one between 1983 and 1993. Texas mirrors this trend for the same period.

Although government management and operations are important, taxes and regulation are bottom-line, pocketbook issues that raise concerns about Texas' competitiveness. Because of industrial diversification over the past decade, little agreement can be found among the business community on the fairest tax structure. Capital-intensive and labor-intensive industries offer different opinions of taxation—manufacturers believe one way, law firms believe another, computer component designers still another.

However, according to the survey and interviews, three common taxation trends emerge. First, business bears too much of the initial tax burden. Second, state government has grown too large over the past 10 years and demands too much revenue to fuel continued growth. And third, the burden of business taxation is unevenly shared in a state where service company growth has been prominent in both jobs and wealth created.

Thus, taxation issues, state government finance, the role of business and government partnerships, education and skills assessments, and the future of the business climate are linked in the minds of the business community, despite the split over the course and direction of new taxation. One study after another has recognized that there are very few revenue-raising options remaining, and it is those limited options that disturb the business community and imperil the future business climate.

Couple the concerns of an uncertain state tax policy with the issue of jury awards and settlements and Texas begins to look like California. As stated in the 1992 Council on California Competitiveness' *Report on Jobs and the Future*:

> the sorry result is that surging liability insurance costs, huge legal bills, large settlements, and unpredictable jury verdicts impose a heavy "tort tax" on every business, large and small,

in the state—a tax borne ultimately by all Californians in the form of costlier goods and services, fewer jobs, and less investment in California.

Regulations

No business-climate analysis would be complete without addressing the regulatory environment. While Texas' regulatory agencies operated in a balanced manner, specific concerns were expressed regarding the time required to obtain a permit, knowledge levels of the regulating staff, the implementation of federal initiatives such as the Clean Air and Clean Water Acts, and overall compliance costs. A threat to Texas' business community regards hiring "paper shufflers" to respond to increased regulations rather than workers that produce income.

Although Texas is a leading job producer and has bright economic prospects, some strong negative trends and warning signs suggest that if nothing is done today, Texas may lose its competitive advantage tomorrow, as have other large states. Furthermore, while Texans may want to set their benchmark against the shortfalls of California or New York, it is important to recognize that both of those states are taking aggressive steps to repair their negative business-climate image.

Texas, as a southern gateway to the rest of the United States, is geographically positioned to take advantage of the emerging markets in Mexico and Latin America.

Overall, taxes as a percentage of operating costs are lower in Texas than in some of the other 16 states examined, depending on the industry and its location. However, the future requirements for financing government could lead to higher state and local taxes, deteriorating Texas' ranking vis-à-vis other states. The lack of a state income tax has made Texas attractive to relocating senior executives and retiring seniors, but it puts greater demand on finding other revenue sources such as higher fees and local taxes.

Texas' growing population will increase demands for government services, which will, in turn, affect the financing and regulatory policies necessary to manage those services. The spiraling cost of health care and welfare in other states has begun to impact Texas' future as the second most populous state in the nation.

Government regulations, from federal mandates at the top to municipal rules at the bottom, require businesses to spend an inordinate amount of time to comply with them. In turn, regulatory and license fees—although portrayed as a pay-as-you-go approach—may actually be feeding new state and local bureaucracies.

Texans' personal incomes are steadily increasing, job prospects are improving, and industrial expansion based on continued diversification remains strong. However, a continuing concern should be the quality of jobs being created. Are they low-wage service jobs, or high-wage technical jobs? And is the current educational system producing a quality work force?

Texas is now perceived to have as bad a legal environment as California. Jury awards and settlements are commonly cited as the reason why Texas may see a reduction in future direct investments and expansions. Painstaking but successful tort reform conducted in the most recent session of the Texas legislature will determine these perceptions in coming months.

Therefore, how does this current business climate affect the challenges facing Texas, such as education, immigration, the environment, and infrastructure? It could be suggested that as California, New York, and other populous states have gone, so will Texas. But that does not give credit to a state with ambitious ideas and creative business and political leadership. Nor does it give credit to the people of a state that is known for its "can do" spirit and independence.■

Richard Seline is managing partner of the Jacob-Louis Group, a Washington, D.C.-based business and economic development consulting firm with strong ties to Texas. He recently served as deputy assistant secretary for economic development at the U.S. Department of Commerce.

Republicans Take the Lead

Will Texas continue to move into the Republican column at every level of government?

TOM PAUKEN

Texas politics has undergone a major transformation in 1995 with the election of a new Republican governor, Democratic legislators scrambling to preserve their control of the state legislature, and Sen. Phil Gramm mounting a major campaign for the Republican presidential nomination.

The defeat of Gov. Ann Richards in 1994 shocked political observers across the country. Richards was one of the most popular public figures in Texas, according to virtually every opinion poll taken during her tenure in office. Moreover, her gift for gab had helped her become a national celebrity. Richards may well have been the most liberal governor in modern Texas history: Her liberal, feminist brand of politics played particularly well in trendy Hollywood and Manhattan circles. Until she was swept out of office by the son and namesake of former President George Bush, her personal popularity seemed to overshadow any dissatisfaction most Texans had with her liberal agenda.

But last November's elections did not revolve around who was the most popular candidate. The voters were angry, and they took it out on liberal politicians like Richards in Texas and elsewhere. By her actions, Richards managed to do in Texas what Bill Clinton did nationally: She united all the disparate elements of the conservative coalition against her.

Richards angered social conservatives by her aggressive advocacy of abortion rights, gun control, and the feminist agenda. She alienated economic conservatives by presiding over a skyrocketing state budget, combined with an onerous tax hike on property owners that became known as the "Robin Hood" school finance scheme.

In Texas, because the office of the governor is constitutionally weak, one of the most important powers the governor has is that of making appointments to various boards and commissions. Richards compounded her problems by using that power to appoint many of her antibusiness and feminist supporters, thus upsetting both social and economic conservatives.

The governor's strategy

The conservative coalition that had come unraveled during George Bush's presidency was put back together in 1994, just in time to help elect the former president's son governor of Texas.

How is the new governor doing thus far? Bush had to hit the ground running because the Texas legislature began its regular session in January, around the time he was sworn into office. Texas has an unusual constitution in that it specifies that the legislature meets regularly only once every two years and then only for 140 days. The governor can call a special session if need

be, but generally most of the policy work of the state government gets done during these biennial sessions.

This year, the legislature adjourned at midnight on May 29. The governor's strategy was to concentrate on passing his four-point agenda, which included many of the key issues he had campaigned on last fall. Bush's legislative package included tort reform, education decentralization (which he called "home rule"), welfare reform, and toughening up the criminal penalties for juvenile offenders.

The tort reform package was of particular concern to the business community, which wanted to change Texas' national reputation as a place where plaintiffs' trial lawyers get to play the "wheel of fortune" and win some spectacular jury awards at the courthouse in certain counties. The legislation that passed this session was designed to limit damage awards, curtail "forum shopping," and ensure that defendants only pay when significantly responsible for the damages suffered by the plaintiff.

Another issue that received a lot of attention and support from Bush was the right to carry bill, which legalized the carrying of concealed handguns. In the main, the governor was successful in focusing attention on these five issues and getting legislation passed that addressed these concerns.

However, with the Democrats in control of the House and Senate, the governor chose to adopt a bipartisan approach on the legislative front. Bush worked closely with the Democratic leadership: Lt. Gov. Bob Bullock (who remains arguably the most powerful political figure in Texas, due to his dominance of the Senate) and Speaker Pete Laney, an increasingly powerful figure who called the legislative shots this time in the House of

BOB DAEMMRICH

■ ***Working together:*** **Lt. Gov. Bob Bullock (left), a Democrat, works closely with Gov. George Bush, who has positioned himself as a "bipartisan centrist."**

Representatives.

Although Gov. Bush got much of his legislative agenda passed, the overall results were not all that conservatives had hoped for in light of the changing political climate. There is an old saying that "the devil is in the details," and the details got messy as the Bush package of bills worked its way through the legislature.

Political Change

★ Texas politics has undergone a major transformation with the election of a new Republican governor.

★ Sen. Phil Gramm is competing for the 1996 Republican presidential nomination.

★ Republicans are on the verge of becoming the majority party in Texas, being only 2 votes short of a majority in the state Senate and just 14 votes in the House.

The Democratic response

It will take time to determine whether the policy changes this session were as sweeping as hoped, or whether the legislature simply tinkered at the margins of such important issues as education and welfare. The Democrats were clearly fighting a rearguard action this session, trying to preserve the status quo as much as possible while giving the appearance of favoring substantive changes in the way state government operates.

In fact, the Democratic leadership was successful in blocking legislation on a number of "hot button" issues supported by a majority of Texans. Term limits died in a House committee, without a vote ever coming to the floor on this citizen-driven effort to rid the system of career politicians.

Bills to regulate abortion clinics and require parental notification before a teenager could have an abortion also were buried by Democrats in House and Senate committees. Prior to the intervention of the U.S. Supreme Court on the issue, Texas had very strong laws against abortion. Now, Texas is one of the most liberal states in the nation when it comes to abortion rights, and that was unchanged after the legislative session. Initiative and referendum never came to a vote on the floor of either the House or Senate.

Efforts to put brakes on state spending went nowhere, while a bill to repeal the "Robin Hood" school finance scheme, which takes property taxes from some school districts and ships them elsewhere, was dead on arrival in

BOB DAEMMRICH

■ ***The Texas House of Representatives:*** **Although Governor Bush got much of his legislative agenda passed, the overall results were not all that conservatives had hoped for in light of the changed political climate.**

JOHN HARRINGTON / THE WORLD & I

JOHN HARRINGTON / THE WORLD & I

■ ***Political heavyweights:*** **Texas Republicans, such as Majority Leader Dick Armey (top), now occupy key leadership positions. Phil Gramm (bottom) is positioned to win most of the Texas delegates to the Republican National Convention in 1996.**

the House. Texas is in the top tier of states when it comes to high property taxes. Consequently, as the *Wall Street Journal* noted recently, Texas property owners may be poised to launch a tax revolt similar to what took place in California with Proposition 13 in the 1970s.

A bipartisan approach

Governor Bush decided not to provoke a confrontation with Senate Democrats by "busting" Richards' pending appointments. Nearly 500 of her appointees were confirmed by the Senate and will serve on various boards and commissions for up to three years. This bipartisan approach toward appointments may have bought Bush some temporary peace from the Democrat-dominated Senate, but it will make it more difficult for him to exercise his executive authority over the myriad of agencies and commissions that make up the state government.

Moreover, financial experts worry that the governor's decision not to bite the bullet and get state spending under control this year (the biennial state budget increased 14 percent) will come back to haunt him two years from now, when the next regular session of the Texas legislature convenes.

Barring some unforeseen revenue windfall, it appears likely that Bush may be forced to accept a major tax hike two years from now in order to achieve the constitutionally required balanced budget. With property taxes already at a very high level, many Texans expect the drumbeats to begin soon for passage of a state income tax to take up the slack. With Bush having campaigned for governor against higher taxes in 1994, just as his father ran for president in 1988 on a platform of "no new taxes," it would be ironic if that pledge proved as hard to keep as his father's.

An issue that received a lot of attention and support from Bush was the right to carry bill, which legalized the carrying of concealed handguns.

Right now, Governor Bush is riding high in the popularity polls. The danger ahead is that his failure to get spending under control and his decision not to press for property tax relief this session may hurt him in the polls later on.

Moreover, Bush has distanced himself from the movement conservatives who helped make his election possible last November by positioning himself as a "bipartisan centrist." Although such a stance has won him plaudits in the mainstream media, it could jeopardize future support from some key elements

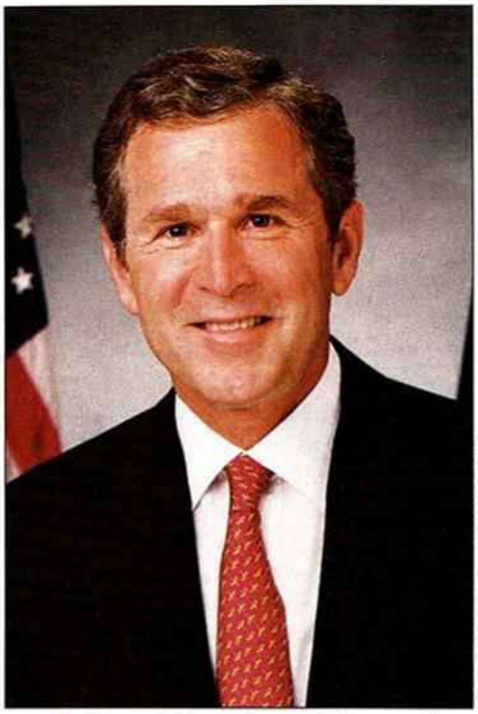
of the winning conservative coalition that put him in office in the first place.

For example, the pro-life forces in Texas were instrumental in organizing grassroots opposition to Richards. Yet none of their legislative agenda was able to pass during the 1995 legislative session. Social conservatives are particularly disappointed that a so-called conservative legislature couldn't pass even modest restrictions designed to reduce abortions. It is yet to be determined how this anger within the antiabortion movement in Texas will play out politically in 1996.

Presidential prospects

Meanwhile, Democratic political leaders are trying to figure out how to stop the erosion of support that threatens to end their long-standing dominance of politics at the state and local levels. Bill Clinton remains very unpopular in Texas. The president is expected to be a major drag on the ticket next year, assuming that he is the Democratic nominee for president in 1996.

Right now, either Bob Dole or Phil Gramm would easily defeat Clinton in the general election in Texas. That's why, in the judgment of some leading Texas political observers, Democratic elected officials are wrapping themselves in the cloak of bipartisanship: so they can run for reelection next year as centrists and garner the support of Republican as well as Democratic voters.


COURTESY OF THE OFFICE OF GOV. GEORGE BUSH

***A Republican victory:* The conservative coalition that unraveled during George Bush's presidency came together in 1994, in time to help elect his son governor of Texas.**

Republicans are on the verge of becoming the majority party in Texas. They are only two votes away from having a majority in the Senate and 14 votes shy of a majority in the House. The test in 1996 will be whether Texans are satisfied with the current Democratic dominance of the legislature, or whether the trend toward Republicanism will continue. Still to be seen is whether the governor's personal popularity will hold up and translate into Republican victories at the polls next year.

On another front, Texans are closely following the presidential prospects of their senior senator, Phil Gramm. As this article goes to press, the battle for the Republican presidential nomination appears to be a two-man race between Senate Majority Leader Dole and the Texas senator. Gramm and Dole are clearly the two most popular Republican candidates among Texas voters, with Gramm positioned as of now to win most of the Texas delegates to the Republican National Convention in 1996.

But anything can happen—and often does—in presidential primaries. Back in 1976, then Democratic Sen. Lloyd Bentsen ran for president. He was expected to sweep Texas in the Democratic primary. However, by the time of the primary, Bentsen essentially was out of the race, having faltered in the early primaries. Jimmy Carter carried Texas on his way to the Democratic nomination.

Gramm's strategy is to do well in the early primaries in the South and West, carry his home state, and become the logical candidate for the coalition of economic and social conservatives. Gramm believes that, while Dole may have an early lead in the polls, conservative activists have never been comfortable with Dole and will turn to him as the most

logical alternative.

One major wild card associated with the 1996 elections is the "Perot factor." Will Texan H. Ross Perot run again as a third-party candidate for president, or will he attempt to launch a third party and back someone else? Only Perot knows the answer, but one thing is clear: Many Perot supporters returned to the Republican fold in the 1994 elections. The current betting in Texas is that he will not be a candidate but will try to influence the outcome. Does Perot want to go down in history as the spoiler responsible for the two-term presidency of Bill Clinton? As unpopular as Clinton is in Texas right now, my guess is that Perot won't want that footnote in history attached to his name.

Whatever happens in next year's elections, Texas once again has become a major political force on the national political scene. Gramm is a serious contender for the presidency. The other Republican senator, Kay Bailey Hutchison, has been mentioned as a possible vice presidential nominee in the event that someone other that Gramm is the Republican presidential nominee in 1996. Perot may affect the outcome of the general election by his decision as to whether to start a new political party.

Governor Bush is trying to make his presence felt on the national political scene. Texas Republicans now occupy key leadership positions in the U.S. House of Representatives. Dick Armey is majority leader, Bill Archer chairs the Ways and Means Committee, Larry Combest is the chairman of the House Intelligence Committee, and Tom DeLay is the House Republican whip.

All in all, Texas is back as a major force on the national political scene. Whether it stays a two-party state or continues to move into the Republican column at every level of government is the still unanswered question.■

Tom Pauken is chairman of the Texas Republican Party.

BOB DAEMMRICH

■ ***Science class:*** **Bush's legislative package included education decentralization, which he called "home rule."**

FOCUS

Texas in Contrast

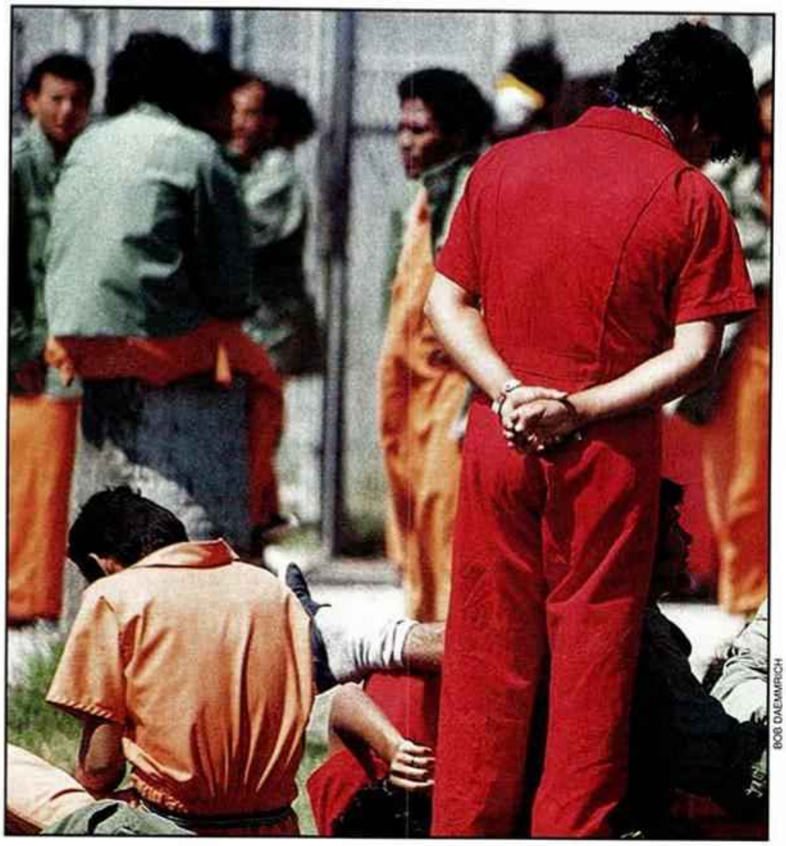
THE OLD AND THE NEW

Above: Texans display their colors at the Battle of Flowers Parade in San Antonio.

Left: Mission control at the Lyndon B. Johnson Space Center is in the vanguard of computer technology.

JOHN ELK III

JOHN ELK III



THE WELCOME AND THE UNWELCOME

Above: Mexican teens perform folk dances at a festival in San Antonio.

Right: The Immigration and Naturalization Service detains illegal Mexican immigrants in Los Fresnos, Texas.

WORLD VIEWS

The Oklahoma City Bombing

CLINTON MORE FORMIDABLE

GREAT BRITAIN—The Republicans have been forcibly reminded that Mr. Clinton is not finished yet; some of them are starting to see him as a sort of Dracula in the White House, who walks again each time he seems to have been disposed of.

The political impact of Oklahoma has certainly made President Clinton more formidable; it has not made ordinary Republicans like him any better or trust him any more. It is strange to compare Mr. Clinton with Franklin Roosevelt, yet the hostility of Republicans to the president is probably greater than it has been since the 1930s. . . . We are now back to the total hostility which led ordinary Republicans of the 1930s to talk angrily about "that man in the White House." Most Republicans think that a second Clinton term would be "disastrous for America," and, as one of them added grimly to me, "disastrous for the world."

Times
May 4, 1995

RELY ON THE RULE OF LAW

GERMANY—This crime would have been easier to explain if Islamic fundamentalists had been responsible. But, because

America's Image Explodes

by Gus Constantine

For many foreign media, the April bombing of the Alfred P. Murrah Federal Building in Oklahoma City was a revealing moment, ostensibly capturing America as a nation bent on fratricidal destruction. Expressing this apocalyptic thought most bluntly was a Nigerian newspaper, the *Kaduna Democrat*. It called the bombing a "tragic reminder" that even if the superpower nation "conquers the world, it has all it takes at home to destroy itself."

Overwhelmingly, the focus was on perceived faults within American society and how they might have contributed to the tragedy. Some foreign media could barely suppress glee that America, inclined to hold up its institutions as a model for others, was now inadvertently displaying a downside of those institutions as the perpetrators of the terrorist act pushed freedom and individualism to its ultimate excess.

There was also open resentment expressed that American media had been quick to conclude, falsely, that the bombing was the work of Middle Eastern terrorists. Conservative talk radio took a lot of the blame for its freewheeling, inflammatory attacks on big government, liberalism, and the Democrats.

this is not the case, U.S. politicians, with President Clinton at the helm, are glossing over their helplessness with sympathetic words, but also with populist pleas for tougher laws, for capital punishment. As if fanatic terrorists could be deterred by the death penalty. . . .

Democratic societies must defend themselves against terrorists by relying on the rule of law. It is not decisive whether law enforcement officials or intelligence services can bug suspects, but it is decisive that such investigations can be controlled to avoid arbitrariness and misuse. . . .

But the use of police does not replace politics. Terrorism can be countered only with a policy that prevents an increasing number of people from looking for jobs and apartments, perspectives and integration, and helps these people not to experience an open society as a closed one.

Deutsches Allgemeines Sonntagsblatt
April 28, 1995

Aggressiveness in U.S. Society

RUSSIA— The Oklahoma tragedy drew the attention of the whole world to the following: Aggressiveness, it seems, becomes increasingly rooted in people's lives in developed countries. Growing aggressiveness is due not so much to the propaganda of violence on television as to the human spirit, which is forever in combat against something or somebody.

In the absence of vivid, "natural"—political and economic—irritants, of which there are plenty in Russia, residents of well-to-do —hence "boring" nations—come looking for an excuse to vent their often aggressive energies. Despite the emotionally charged atmosphere, it will not be easy for the president to get antiterrorist measures through Congress. Too many people tend to see them as an encroachment on the sacred, constitutional rights.

Kommersant-Daily
April 29, 1995

Generally, foreign media took to task those who believe that the federal government is a powerful evil, that law enforcers are thugs, that gun control is a plot to disarm those who would defend their personal liberties, and that international cooperation is a dark conspiracy to turn over America to a world government.

Suddenly, this shadow world of amorphous suspicions became the image of America as a whole in the wake of the terrible tragedy. Sometimes the criticism sounded not as if a single individual or group carried political fantasy, if that's what it was, to homicidal extreme, but as if the entire

ASLIN / GAZETTE / MONTREAL, CANADA / CARTOONISTS AND WRITERS SYNDICATE

THE TERRORIST HAS NO NATIONALITY

AZERBAIJAN—The events that have taken place recently in Japan, South America and the United States itself—Oklahoma City—have proven that, just as a criminal does not have a nationality or motherland, neither does he have any religious identity. The most depressing thing is that, instead of struggling mercilessly and resolutely against this scary phenomenon, officials of a number of states keep referring to the nationality and religious identity of those culprits and show an "inclination" to accuse other countries of "fundamentalism" or "religious fanaticism."

Maarifci
May 2, 1995

REPUBLICAN CONGRESS SUPPORTS CLINTON

ESTONIA—President Clinton, pushed into the background after the November elections, received support from the Republican-controlled Senate during the days of mourning. Opposition leaders Robert Dole and Newt Gingrich, who usually wing arrows of criticism toward the president, acknowledged publicly that Clinton behaved in this difficult moment in a way that was proper for a head of state. The Republicans moved rapidly on the president's draft legislation on fighting terrorism and promised to approve it in the Senate by the end of May.

Postimees
May 2, 1995

BENEFICIAL LESSONS

BAHRAIN—Regardless of the American media's hastiness in accusing Middle East "elements" of being involved in the explosion, it cannot be denied that the American citizenry has dealt with the explosion as a human tragedy and disaster more than as a political one. The Americans did not hesitate to condemn the incident and consider it dangerous violence threatening their

---

American Right had risen in revolt.

To be sure, amid the Cassandra conclusions there were also reflective questions in foreign media on how greater powers for federal security and law enforcement agencies to intrude into the lives of American citizens could square with America's sacred commitment to protect individual liberties. Others asked how pundits who fire from the hip and politicians who chuckle at their give 'em hell approach and cheer them on could possibly absolve themselves of all responsibility.

America at war with itself

In Britain, the centrist *Independent* saw the bombing as a manifestation of an America at war with itself. "The bombing has made clear that the country is dotted with armed people who see nothing contradictory in defining themselves as patriots, while also preparing to wage war against their own government," the newspaper said.

The conservative weekly *Spectator* wondered why there are "so many angry people, even (or especially) in societies in which, by and large, there exist both freedom and security." Observed the *Economist*, London's independent weekly: "It does not take a genius to notice that some of the obsessions of the far-right fringe (anti-government, anti-tax, anti-gun control) bear more than a passing resemblance to the Republican agenda." "Might strident conservative talk not indeed contribute to the mindset of mayhem?" it asked.

The conservative *Daily Telegraph* cited a poll taken after the bombing, which found that "four out of ten Americans believe the federal government has become so powerful that it poses an immediate threat to the rights and freedoms of ordinary citizens."

It concluded that "the poll confirms how unpopular government has become in the American mind after six decades of inexorable expansion." The *Daily Express* found in all of this a per-

future as citizens, threatening their lives and playing with their destinies. It seems that we are in need of benefiting from the lesson of the American citizens' vision of the Oklahoma violence and to have a clear common position against violence in the community.

Al-Ayyam
April 29, 1995

U.S. DEMOCRACY ON TRIAL

CANADA—From the assassination of John Kennedy to the kidnapping of Patty Hearst, political violence is "as American as apple pie." All the same, there is a qualitative difference in the menace stalking America's towns and cities today. The horror of Oklahoma City has plunged the United States into a crucial debate over redefining democracy. It will be closely watched around the world.

Toronto Star
April 27, 1995

STOP ACCUSING ARABS AND MUSLIMS

JORDAN—What happened in the United States following the Oklahoma City bombing should not pass without receiving the best attention from Arabs and Muslims. The hysteria that prevailed and the ready-made accusations against Muslims and Arab Americans require analysis. . . . The Americans realized that the enemy is among them and that terrorism is not a phenomenon confined to a certain race of people. They may realize that the time has come to stop accusing the Arabs and Muslims every time there is an explosion in the world.

Al-Dustur
April 30, 1995

WISE ADMINISTRATION, GUILTY PRESS

KUWAIT—We would like to commend the wise position adopted by the American administration and Clinton personally. Calling on the American people not to

missiveness toward extremists. "The real message in the gaping ruins . . . is the awful consequences of a kid-glove approach to fanatics."

Elsewhere in Europe, the prime emphasis was also on Americans' permissiveness toward those who raise the flag of patriotism, particularly armed individuals and talk radio commentators. Germany's left-of-center *Frankfurter Rundschau* observed: "In search for the criminals who committed this crime, the Americans are confronted with themselves, their attitude toward weapons, freedom of opinion, public institutions and democratically elected politicians."

Abolish guns 'once and for all'

It demanded that the "anachronistic right to have a gun must be abolished once and for all." France's *La Tribune*, applauding President Clinton's castigation of extremist talk show moderators, said, "it is high time that the leader of the nation denounces their excesses." Both Russia and China took dead aim on America's tendency to view all terrorist acts as phenomena that originate abroad.

In Moscow, the old Red Army newspaper *Krasnaya Zvezda*, now politically moderate, said, "the illusion that in a civilized country terrorism cannot be anything but imported is just what it is—an illusion."

True, you can keep out foreign terrorists by denying visas to suspect individuals, it said, "but how can you hide or protect yourself from one of your own?" China's message, carried in *People's Daily*, was short and acidic: Stop blaming others.

Close to the same idea appeared in Bulgaria's Socialist Party *Duma*, which declared that the Oklahoma bombing blew away America's sense of peace and security. The belief that American civilian institutions raised a wall against terrorism is gone. Now, there are holes in the wall, *Duma* said.

rush and direct accusations against Islamic organizations and Middle Eastern persons. Here we blame the American media for rushing and issuing verdicts against Arabs and Muslims.

Al-Majaless
April 30, 1995

SPECTER HAUNTING THE UNITED STATES

GHANA—A specter is haunting and threatening the United States of America today. And this specter is not so much the prohibitive levels of crime as it is with the advent of growing destructive and home-grown urban terrorism. . . . But like every nasty incident that rocks nations and leaves many with years of grief, the Oklahoma incident brings to the fore the stark reality that Americans, as a people, would need to do more in order to overcome this menace which is increasingly trying to entrench itself.

Mirror
April 29, 1995

DON'T BLAME KNEE-JERK REACTION

INDONESIA—When the Oklahoma bombing took place, the American mind-set went to work by immediately suspecting person(s) of Middle Eastern origin of being behind the despicable act. One can imagine [the Americans'] strong but concealed disappointment when U.S. law enforcement officers arrested a white person as a prime suspect in the hideous crime.

On balance, however, Americans cannot wholly be faulted for their knee-jerk reaction of associating acts of terrorism with [persons] who have chosen the Middle East region as their domicile. It is noteworthy that in the past, the same group of people have openly acknowledged that they were behind what the civilized world sees as acts of terrorism.

Indonesian Observer
May 5, 1995

PETERSON / VANCOUVER SUN / VANCOUVER, CANADA / CARTOONISTS AND WRITERS SYNDICATE

Hellish Rule in America

IRAN—Attributing blame without carrying out the slightest investigation to fan the flames of public hatred for their rivals is an old propaganda ploy used by the West, especially America. Washington is trying to portray Islam as the major culprit in every incident. The lie-disseminating mass media have no alternative but to apologize for the sake of their prestige and to express regret for their initial positions.

The Oklahoma blast and other incidents throughout America show the extent of the American public's dissatisfaction, protests and rage. These incidents cannot simply be ignored. In realistically assessing this situation, the American public should conclude that the American people are the major victims of the U.S. administration and of the crimes and injustice that are being imposed on them, followed by other nations that are also suffering from the hellish rule of the hegemonistic rulers in America.

Jomhuri-Ye Eslami
April 25, 1995

What is and is not Extremism

SAUDI ARABIA—There is a growing consciousness of an Islamic identity in the Muslim world. Refusing to accept an inferior status, an assertive generation has rejected the theory that Western postulates and prejudices represent the last word in values and systems. They are seeking their roots, are struggling to rediscover their own values. That, by no definition, is extremism.

The Arab media has yet to describe the Oklahoma city bombers as part of a growing American extremist movement that threatens the regime or the world. To do so would be unfair and inaccurate. Equally unfair and inaccurate is for the Western media to label a region or a society extremist.

Arab News
April 30, 1995

In Belgium, the conservative Catholic newspaper *La Libre* appeared to taunt House Speaker Newt Gingrich. Noting that the Georgia Republican had called it "grotesque" to identify conservatives with radicalism, it remarked that the rhetoric of the extreme Right is "similar to that, hardly more virulent, of the militia." Striking the most positive note, Canada's *Montreal Gazette* expressed hope that the tragedy would "encourage fair-minded silent Americans to speak up for tolerance."

Vindicated by the absence of involvement in the bombing, commentators in the Arab world severely reprimanded American media for jumping to conclusions. Bahrain's *al-Hayyat* noted that the early claims of Arab or Muslim responsibility were followed by security agency arrests of Arabs and Muslims for no apparent reason. "The time has come to stop accusing the Arabs and Muslims every time there is an explosion in the world," proclaimed Jordan's *al-Dustur*.

Saudi Arabia, not generally known for its radical Arab sympathies, declared that Muslim "terrorists" lay down their lives in the midst of foreign occupation and humiliation. It said there are enormous differences between them and groups like the Michigan Militia, "who are left by Washington and the various security forces to arm themselves, knowing their enmity toward the country and the government."

Australia fired a broadside against the defense of gun ownership. Said the *Sydney Daily Herald*: "The United States suffers terribly because of the perverted interpretation of a constitutional provision of two centuries ago—the so-called right to bear arms—and the political power of its gun lobby." ■

***Gus Constantine is assistant editor on the Foreign Desk of the* Washington Times.**

ELECTION '96

The Man from the Heavyweight State

by George Archibald

Pete Wilson has a keen nose for politics and is ever alert to seize a political opportunity.

Take the day in 1982 when, as mayor of San Diego, he listened quietly as Paul Weyrich, founder of Washington's New Right political apparatus, laid out conditions for conservative backing of Wilson's bid for the U.S. Senate: Wilson must promise to support school choice, aid to Nicaraguan freedom fighters, and the Reagan-backed Strategic Defense Initiative.

The liberal Wilson was resented and distrusted by conservatives because he had campaigned against Ronald Reagan's 1976 presidential bid against Gerald Ford. It was only after a field poll showed Wilson ahead of Democrat Jerry Brown in the California Senate race that Weyrich had agreed to meet with the Republican candidate.

Wilson's campaign staffers bristled at Weyrich's "nonnegotiable" conditions. "Who are you to make demands?" they said.

"You sought this meeting. I'm simply telling you reality," Weyrich responded. "If you are committed on our issues, we can deliver. If not, we won't. The choice is yours. You are not being forced into anything."

Wilson waved off his staff's objections. "I think I can agree on all of that," he told Weyrich of the three conservative demands.

The agreement was decisive. Conservatives campaigned vigorously for Wilson, and he eked out a 52 percent victory over Brown in 1982. Support from the dominant conservative wing of the Republican Party is still crucial as Wilson readies a national campaign for the 1996 GOP presidential nomination. The question is, is he likely to get it?

"For the first six years, he was very good on our issues," says Weyrich. "In 1988, when he was reelected to the Senate on his own, he started to veer off. He is someone willing to do what is necessary to win, rather than someone who is deeply committed on principle to the other side."

'ROBOPOL'

Peter Barton Wilson, born in 1933 in the well-heeled Chicago

suburb of Lake Forest, gained an early interest in politics from his parents, New Deal Democrats who switched to the Republican Party during the Depression. Wilson's father was a jewelry salesman and advertising executive. His mother was formerly a model.

After graduating from Yale on a ROTC scholarship in 1955 and serving as a rifle platoon leader in the Marine Corps for four years, Wilson got his law degree from the University of California at Berkeley and worked as an advance man for Richard Nixon's ill-fated 1962 gubernatorial campaign. He later held various local Republican posts and was executive director of the San Diego County Republican Central Committee when he ran for a vacant state Assembly seat in 1966.

In the Assembly, Wilson established a liberal voting record on tax and environmental issues, often opposing positions of Gov. Ronald Reagan. From 1970 to 1972, he served as a Nixon appointee on the federal Citizens' Advisory Committee on Environmental Quality.

When scandal racked the San Diego municipal government, Wilson was easily elected mayor in 1971. He established a reputation as a workaholic, fought for lower property taxes, restricted development through strict zoning standards, created a municipal environmental protection agency to oversee construction projects, and increased public transportation subsidies to discourage automobile use.

SIRLIN PHOTOGRAPHERS

■ ***Bobbing and weaving:*** **Pete Wilson has a long history of tacking left or right on issues depending on which move is more politically expedient.**

In 1978, in his first bid for governor, Wilson campaigned against California's successful antitax Proposition 13 and suffered a humiliating defeat for the GOP nomination, gaining only 9 percent of the vote after spending $1 million. Four years later, he won the GOP Senate nomination with 37.5 percent of the vote against three other primary candidates and went on to win the general election.

After establishing a fairly consistent conservative voting record during his first six-year term in the Senate, Wilson won reelection by staking out a strong

Wilson's War

Some of California Gov. Pete Wilson's strengths and weaknesses as a candidate for the Republican nomination for president:

Strengths

California controls 16 percent of Republican National Convention delegates and 54 electoral votes.

High-powered media team.

Extraordinary fund-raising ability.

Weaknesses

Two-thirds of California voters say he shouldn't run for president.

Broke promise he made in 1994 gubernatorial campaign that he would not run for president.

"Boring" campaigner.

Flip-flops on issues like affirmative action and immigration.

Pro-choice stand on abortion is at odds with the powerful social conservative wing of his party.

WIDE WORLD

■ *Eco-advocate:* Wilson, a longtime supporter of environmental regulation, testifies on Capitol Hill on the Clean Air Act.

position against offshore oil drilling and reverted to an almost equally consistent liberal record on social and environmental issues as he prepared to run for governor. He was dubbed "Robopol" by the *Los Angeles Times*.

In 1985, Wilson won notoriety by being wheeled in his pajamas from the hospital, shortly after an emergency appendectomy, to cast the vote that allowed Vice President George Bush to break a tie in favor of the Reagan budget.

Although conservative on spending and welfare issues, he was liberal on tax issues and the three big social issues: abortion, homosexual rights, and gun control. As a senator, Wilson voted for three of the most stringent and costly regulatory laws to pass in several decades: the Americans with Disabilities Act, the Clean Air Act, and the Clean Water Act.

"I am very much what California Republicans are. They are fiscally conservative—the tax revolt is far from dead—and very much concerned about crime and drugs," Wilson told the *New York Times* October 7, 1990. "They are also pro-choice, pro-environment, strong on national defense, and big for education and the death penalty. I am a pro-business environmentalist who is not afraid to tell the Sierra Club when they are wrong."

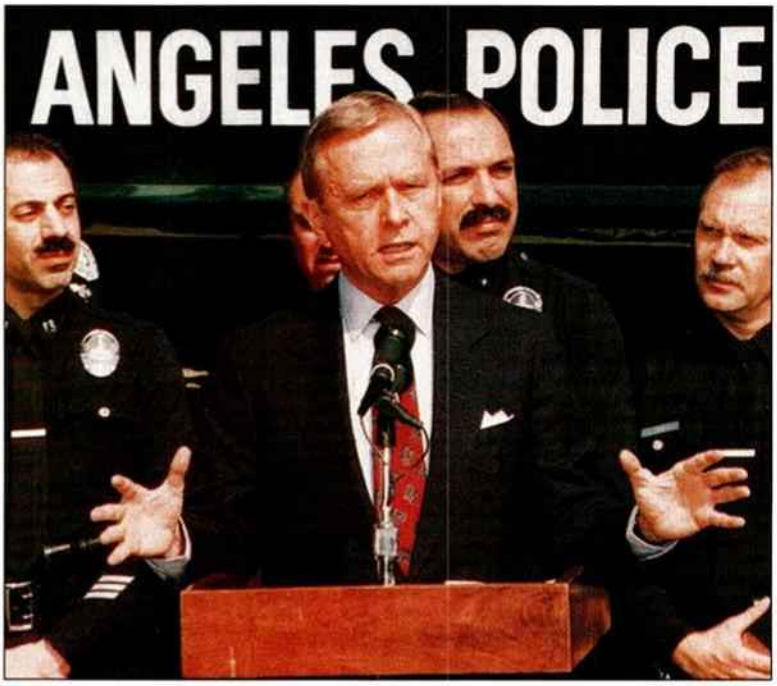
As governor since 1991, Wilson has tacked left on taxes, abortion, and homosexual rights. In his first year, he pushed through a $7.5 billion tax increase, the largest in California's history.

He angered both sides on the homosexual rights issue by first pledging to sign a bill protecting homosexuals from discrimination in the workplace but then vetoing the legislation when it reached his desk in October 1991. He emphasized when vetoing the bill that his action was not aimed at placating "the tiny

minority of meanspirited, gay-bashing bigots." In 1992, he signed a virtually identical bill.

Wilson has consistently broken ranks with most Republicans with his pro-abortion stand. "I would point out that [according to] every survey I have ever seen . . . that not only the vast majority of Americans but the vast majority of Republicans are, in fact, pro-choice," the governor said March 26 on ABC-TV's *This Week with David Brinkley*. Furthermore, he said, "I don't think the [GOP] platform should contain a plank on that subject."

House Majority Leader Dick Armey (R-Texas) disagrees. "In the Republican Party today, if you are pro-abortion rights, you're probably not going to get the nomination," he said on *Meet the Press* March 26.



■ *Felon foe:* Wilson speaks during a signing ceremony at a Los Angeles police station last year for a "three strikes, you're out" law, which jails third-time violent felons for life.

STRENGTHS

Wilson's main strength is his California base, with 16 percent of the Republican convention delegates and 54 electoral votes in the presidential election.

"He is a big player instantly," said political analyst Jack Germond on CNN. "The idea that you still must go coffee [klatch] to coffee [klatch] to win in New Hampshire and Iowa, to some degree in Iowa and less in New Hampshire, it's a myth that is no longer true. . . . These campaigns are now won on presence on national television, in terms of the way you're treated by news media, and commercials. He [Wilson] has to be there some, but he doesn't have to go up there. . . . He's not some guy who has to ride a bicycle across the state to get known. He's the governor of a big state."

Wilson apparently is planning to run a predominantly media campaign. He already has hired Craig Fuller, formerly President Bush's chief of staff, as chairman of his campaign committee. Fuller, a media protégé of former Reagan image-meister Michael Deaver, was president and chief executive officer of Hill and Knowlton and senior vice president of Philip Morris Companies before joining the Wilson campaign full time.

Wilson also has hired former Ford and Reagan strategist Stuart Spencer as a senior campaign adviser and Ken Khachigian, former speechwriter for Presidents Nixon, Ford, and Reagan, as a senior counselor. Khachigian most recently served as key strategist in Michael Huffington's unsuccessful bid last year to unseat Sen. Diane Feinstein (D-California). James Lake, communications director in Reagan's 1980 and 1984 campaigns and deputy campaign manager for Bush in 1992, has been hired by Wilson as a senior adviser.

Wilson's fund-raising ability is legend. Since 1982, Wilson has raised $71 million nationally for

What the Polls Say

The following figures are from a Times Mirror GOP presidential-preference poll of 1,500 adults released June 15. It has a margin of error of ± 3 percent.

Sen. Bob Dole	50%
Sen. Phil Gramm	8
Pat Buchanan	7
Rep. Newt Gingrich	7
Gov. Pete Wilson	6
Lamar Alexander	3
Sen. Richard Lugar	3
Alan Keyes	3
Sen. Arlen Specter	2
Rep. Bob Dornan	1
Other	10

his four California campaigns for the U.S. Senate and governorship.

Last year, he raised $26 million to defeat Democratic gubernatorial candidate Kathleen Brown for a second term as governor. "His closest friends include Fortune 500 heavyweights—people who are in industries where they're positioned to reach out and touch for contributions across the country," said political consultant Harvey Englander in a *National Review* profile of Wilson May 15. By May, Wilson's committee had reported collecting $4 million in pledges toward the $25–30 million he would need by year's end to compete in the top rank of nomination contenders in 1996.

WEAKNESSES

Despite Wilson's strengths, 67 percent of California voters polled May 12–15 said they believed he should not run for president. When he ran for a second term as governor, Wilson promised he would not run for president. He now says the promise is off because "a lot of people have come to me and said they think I really have a duty to do something else." However, the poll shows that voters view Wilson's pledge as binding and that a broken promise looms as a character issue in the presidential campaign.

Wilson's decision to abandon his pledge not to run for president so infuriated his top 1994 contributor, Sam Bamieh, that Bamieh denounced Wilson and joined the camp of presidential candidate Lamar Alexander. "Pete Wilson promised us when he ran for governor he would serve a full term," said Bamieh, former state GOP finance chairman, who gave $259,000 to Wilson's gubernatorial campaign.

"I didn't work hard and raise that much money to elect [Democratic Lieutenant Governor] Gray Davis to become my governor. To me, Pete Wilson is the one that left us, not me leaving him," Bamieh told the *Los Angeles Times*.

The California poll also showed a 33 percent unfavorable rating among California voters for Wilson's performance as governor. However, the poll showed Wilson in second place to Sen. Bob Dole (R-Kansas) in a 1996 matchup with President Clinton. Clinton had 44 percent to Dole's 42 percent; 46 percent to Wilson's 39 percent; and 48 percent to 32 percent for Sen. Phil Gramm (R-Texas).

Wilson lost 34 percent of the Republican primary vote last year to Ron Ung, a relatively unknown computer software manufacturer who spent $1 million to challenge him for a second term.

Wilson's major problems nationally are his unexciting personality and lack of consistency on political matters, says David Keene, who was chairman of George Bush's 1980 campaign and is an adviser to Dole.

"He's a boring campaigner. He has a total lack of people skills. California is totally a media state, and, in a media state, you can be as dull as dishwater," says Keene. But in a presidential campaign, candidates cannot avoid people contact and fierce competition for convention delegates throughout the country, he says. "Wilson is very cold and distant. It's hard to imagine him turning anyone on anywhere."

Also, Wilson's inconsistent positions will cause him great trouble, says Keene. "People are amazed how quickly he gets onto

■ *Unsuccessful challenger:* **Wilson trounced Kathleen Brown in the gubernatorial election last fall, aided by his belated embracing of the anti-illegal-immigration Proposition 187.**

an issue. He doesn't have any core values to change. He defended affirmative action in 1994. By the fall of '95, he was leading a campaign against it."

Similarly, in the Senate in 1990, Wilson sponsored an amendment to immigration-reform legislation that allowed 350,000 seasonal laborers from Mexico to come into California to work for citrus farmers. Then last year, he supported California's Proposition 187 that banned taxpayer-funded services to illegal immigrants.

"He jumped on 187 late," says Keene, when it became clear the voter tide was with it.

CONSERVATIVE OPPOSITION

Millions of evangelical Christians and traditional Catholics who oppose big government, abortion, and the homosexual life-style have registered to vote and become active in the Republican Party, says Morton Blackwell of the Alexandria, Virginia-based Leadership Institute. Leaders of the various family and religiously oriented factions of the GOP include Phyllis Schlafly and the Revs. Pat Robertson, James Dobson, and D. James Kennedy.

"Wilson is not a feasible nominee of the Republican Party in 1996," says Blackwell. He believes that Wilson also would be inappropriate as a vice presidential candidate "to balance the ticket. If we nominate a strong conservative to head the ticket, we should nominate someone closely analogous as vice president."

Gary Bauer, president of the Family Research Council, says that support for Wilson among media analysts and professional Republican campaign consultants "shows the gap between the Washington elites and the real world. Other than a few narrow places in the Northeast and the Pacific Northwest, Wilson's brand of Republicanism just doesn't fly. It's not Specter and Wilson Republicanism, it's Reagan conservatism, which is economic conservatism—low taxes, small government—with traditional values and sanctity of life."

"If Wilson is nominated, you'd see a split in the Republican Party, led by Pat Buchanan, to form a third party," says Vic Gold, Washington editor of *Washingtonian* magazine.

Weyrich agrees. "If the Republicans nominate him, they will commit suicide. . . . There will be a walkout at the Republican convention, probably led by [presidential candidates] Bob Dornan, Alan Keyes, et cetera. Dornan has told me privately that, if Wilson was nominated, he would lead the walkout."

Ultimately, then, Wilson could be the 1996 hardball power player the GOP is looking for, having a clear knack for come-from-behind wins in clutch campaigns. But he would have his work cut out for him keeping his increasingly conservative party in one piece. ■

***George Archibald is a national news correspondent for the* Washington Times.**

ANALYSIS

The GOP and the Special Interests

by J. Bradley Keena

Last fall, the Republicans' Contract with America was like an ingenuous Pollyanna, brimming with idealism and enthusiasm.

But after the GOP took over the reins of power on Capitol Hill in January, Pollyanna collided with political reality—the rough-and-tumble of lobbying and special-interest politics—and ideals promptly began to erode or be shunted aside.

Although the House Republicans kept their basic promise and brought all 10 points in the Contract to a vote, even passing 9 of them, many observers see the Contract as having lost its innocence, because its spirit—less spending, smaller government, lower taxes—came to be violated over and over again. Spending cuts in particular, fiercely resisted by a host of intransigent special interests, proved to be painfully difficult to make.

A struggle for the soul of the Contract began immediately after the November 1994 elections. Ironically, the two sides at odds are both Republican.

One, made up predominantly of older, moderate-to-liberal Republicans, represents establishment, business-as-usual Washington. The other, composed of recently elected Republicans suspicious of the Washington establishment, champions the populist calls for a smaller central government. The result of this struggle may ultimately decide the outcome of the larger debate over the role and size of government.

Better represented in the House, the latter group teamed up with moderate and conservative Democrats to pass much of the Contract with America during the first 100 days of the 104th Congress. A 1994 campaign-generated laundry list of budget cuts, block grants, and deregulation measures, the Contract has met with considerable resistance in a Senate dominated by establishment Republicans and liberal Democrats.

THE BATTLE IN THE HOUSE

Even within the House, efforts to pass parts of the Contract were thwarted at times as establishment Republicans, teaming up with liberal Democrats, clashed with their determined freshman counterparts.

In the House Agriculture Committee, for example, Chairman Pat Roberts (R-Kansas) held off a move to block-grant the food stamp provision as stipulated under the Contract's recipe for welfare reform. Roberts sided with the powerful agriculture lobby, which for years has enjoyed an arrangement resulting in farm price supports.

Big-city liberals on the panel want to continue the food stamp program, while farm-state representatives want to hold on to price supports. Younger congressmen, eager to put an end to both programs, were unable to get their bill past Roberts' committee.

"Roberts effectively drowned our plans to see the House block-grant the food stamp program to the states," says Robert Carleson, a Washington consultant who was welfare adviser to President Reagan.

The legislation that Carleson helped write met a similar fate in the Senate Agriculture Committee, chaired by Richard Lugar (R-Indiana), but found support from a former governor, freshman Sen. John Ashcroft (R-Missouri).

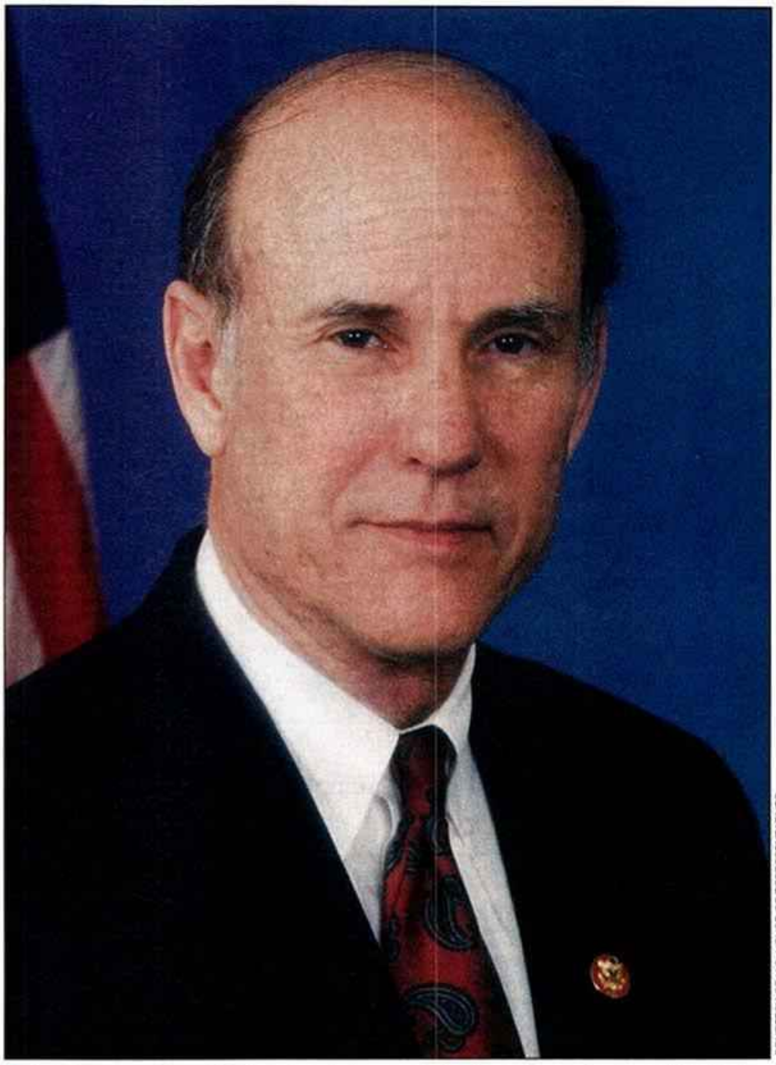
"Ashcroft not being on the Agriculture panel is a plus," says Carleson. "He has had enough experience with the food stamp program as a governor to give him an authoritative voice among his colleagues."

On another issue, Rep. Ernest Istook (R-Oklahoma) offered an amendment to overturn President Clinton's executive order mandating that states pay for Medicaid abortions. Liberal Republicans, seeking to preserve Medicaid-funded abortions and prevent a presidential veto of a $17 billion GOP spending-cuts bill, lined up against Istook.

The liberals, says conservative Rep. Chris Smith (R-New Jersey), "blackmailed the leadership into submission" to keep the spending-cuts bill free of Istook's amendment.

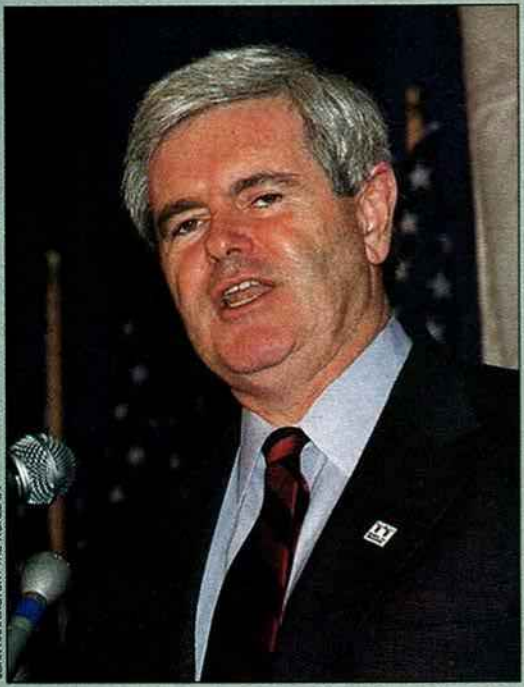
Even House Speaker Newt Gingrich, philosophically sympathetic toward the newer Republicans, struggled with establishment liberals within his party. The House ethics committee, chaired by liberal Rep. Nancy Johnson (R-Vermont), put off deliberations on whether to request an independent counsel to deal with the charges filed by Democrats against Gingrich.

Liberals welcomed the looming deliberations as a means of keeping the speaker's conservative agenda in check.



■ *Agripower:* **Rep. Pat Roberts turned back a move to save the federal government money by block-granting the food stamp program.**

Many analysts agree that the numerous charges filed against Gingrich were, at best, politically motivated. The only charge of substance surrounded a book deal brought into the public spotlight when Gingrich was promised a $4.5 million advance. The speaker neutralized criticism of the arrangement by deciding not to take the advance, thereby putting his deal on a par with arrangements made by Vice President Al Gore and many other public offi-


JOHN HARRINGTON / THE WORLD & I

Roadblocking the Contract

New congressional Republicans tend to favor the less-government, spending-cut spirit of the Contract with America.

Veteran Republicans and Democrats tend to favor business-as-usual politics.

Lobbyists have succeeded in convincing many establishment Republicans and liberal Democrats to protect their clients from spending cuts and thwart large parts of the Contract.

***In the trenches:* To try to deter Newt Gingrich's government-cutting agenda, Democrats have lobbed a barrage of ethics charges at the House speaker.**

cials who have written books while in office. In time, even the media lost interest in the battery of charges that Gingrich's political enemies continued to file on an almost weekly basis.

TERM LIMITS, 'CORPORATE WELFARE'

Term limits became another divisive issue pitting the old versus the new in the House. The Contract with America promised debate and a vote in the House on term-limit amendments of 6 and 12 years. The House Rules Committee, chaired by veteran Rep. Gerald Solomon (R-New York), arranged for a vote virtually guaranteeing neither approach would pass.

The powerful Rules Committee determines the way the House can debate and vote on particular measures. The committee's instructions allowed a debate on four competing term-limit amendments. By allowing congressmen to vote on competing amendments, Solomon's committee provided a means by which congressmen could tell voters back home that they had voted for term limits. Meanwhile, none of the four competing proposals received the necessary 290 votes to pass.

After the vote, U.S. Term Limits Executive Director Paul Jacob warned: "We're going to see in these elections in '96 real change along the lines of term limits. It was a cutting-edge issue in '94."

In many cases, freshmen took center stage in the battles between establishment and anti-establishment representatives. Rep. Mark Neumann (R-Wisconsin) incurred the wrath of liberals and nearly lost his committee assignment when he insisted Congress cut additional spending to help pay for a defense appropriation.

The House pragmatists chastised Rep. Mark Souder (R-Indiana) for voting against the balanced-budget amendment on final passage because the measure failed to include a tax-limitation provision. In response, the

defiant freshmen sent a signal to the leadership by electing Souder vice chairman of their class.

Soon after passing much of the Contract, the House turned its attention to an unprecedented effort to fashion a budget that would be balanced by 2002. It was thought that few Republicans would disagree with the intention of balancing the federal budget within seven years and with the spending cuts that would imply.

Among the cuts proposed by Budget Committee Chairman John Kasich (R-Ohio) was $25 billion in "corporate welfare." The plan called for cutting various subsidies to big business in the United States. Kasich's plan had the support of both conservative and liberal Washington think tanks, along with younger House members who wanted to see Republicans take a stand against special interests. However, the Ohioan's efforts were quickly thwarted by old-line Republican committee chairmen, who warned they could not vote for such reductions because they had promised to protect these interests.

As *Congressional Quarterly* political editor Ronald Elving observed, "The potential, at least, for large job loss or profit loss by the corporations" in Republican districts put Kasich on the defensive "even from some of his own Republican brethren."

As a result, Kasich's corporate welfare cuts were downsized.

Republican House liberals "blackmailed the leadership into submission" to kill a bill to prevent states from paying for Medicaid abortions.

The core of the House leadership, led by Gingrich, Majority Leader Richard Armey (R-Texas), and Majority Whip Tom DeLay (R-Texas), has largely supported youngbloods in their party.

The Senate leadership enjoys a different makeup. Senate Majority Leader Robert Dole (R-Kansas) is assisted by a seniority system favoring veteran, establishment Republicans over antiestablishment conservatives. Dole's thorn in the side is Sen. Trent Lott (R-Mississippi), who was elected to the office of majority whip over Dole's like-minded friend, Sen. Alan Simpson (R-Wyoming).

Perhaps nowhere else are the differences between the House and Senate better demonstrated than in the budget process.

In the House, the chairman

COURTESY OF U.S. HOUSE OF REPRESENTATIVES

COURTESY OF U.S. HOUSE OF REPRESENTATIVES

■ ***Men of principle:*** **Rep. John Kasich (left), the House Budget Committee chairman, tried to slash $25 billion in "corporate welfare," but lobbyists thwarted him. Rep. Mark Souder tried to strengthen the antitax dimension of the balanced-budget amendment—to no avail.**

COURTESY OF U.S. HOUSE OF REPRESENTATIVES

COURTESY OF U.S. SENATE

■ ***Different tunes:*** **Rep. Bob Livingston (left), chairman of the House Appropriations Committee, favors complete zeroing out of many departments and agencies. By contrast, Senate Budget Committee Chairman Pete Domenici wants to cut their budgets, not abolish them.**

of the Appropriations Committee is Bob Livingston (R-Louisiana). Livingston, who advocates complete zeroing out of agencies and departments, was handpicked by Gingrich over four more-senior members.

The Senate, sticking with the seniority system when the majority changed hands, has as its Appropriations chairman Sen. Mark Hatfield (R-Oregon). A liberal elected in 1968, Hatfield was the only Republican to vote against the balanced-budget amendment in the Senate. The amendment, which passed the House, was defeated by the Senate by one vote.

The budget passed by the House included tax cuts as promised in the Contract with America. It is the brainchild of Ohio's Kasich, first elected in 1986. The Senate budget was designed by Sen. Pete Domenici (R-New Mexico), first elected in 1972.

Although both the House and Senate measures would produce a balanced budget by 2002, the two represent opposing philosophies in reaching that goal.

Kasich's budget virtually eliminates the federal programs that conservatives believe cause the most harm to society, the family, neighborhoods, and cities. Domenici's Senate version produced cuts to bloated government programs such as public works projects and transportation.

The House approach called for zeroing out agencies and departments such as HUD, Education, the National Endowment for the Arts, the Legal Services Corporation, and the Corporation for Public Broadcasting. The Senate version trimmed the budgets of, but did not eliminate, those agencies.

The Senate budget targets popular programs, "preserving the programs much of the public hates," according to Paul Weyrich, conservative strategist and president of NET-Political NewsTalk Network.

The Clinton administration has scored points defending the popular programs. "I'm concerned particularly about the Senate version and the effect it will have on transportation," said Transportation Secretary Frederico Pena in an interview with CNN in June.

WRESTLING FOR IDEOLOGICAL CONTROL

Gingrich and his House leadership have helped lead the ideological debate, winning the favor of younger members determined to stand up to the Senate, particularly on the budget.

During a lighthearted moment in May, DeLay joked with younger House conservatives that "we're about to go to war with the Senate," foreshadowing Senate-House conference-committee showdowns this fall over

differences in the two versions.

The fight over the budget will likely "define politics in this country for the next year and a half," says Weyrich. "The final outcome of that battle will very likely be determined by which version of the budget prevails, and that won't be known until we see which side blinks first—the House or Senate."

Perhaps at no time in our modern history have the lines been drawn so clearly on the Washington battlefield.

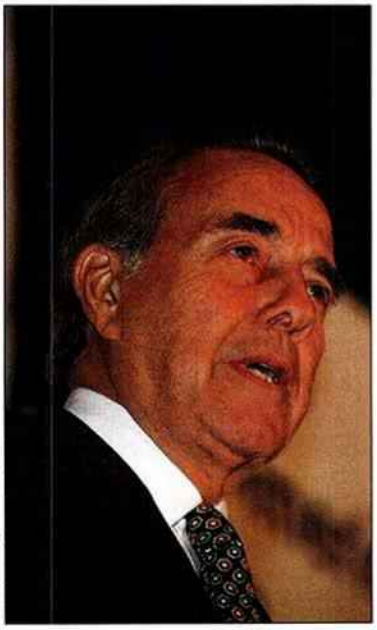
Most older congressmen have a vested interest in maintaining Washington's status quo. Special interests provide money and votes during reelection campaigns. Washington's powerful media establishment is quick to criticize those who go astray.

Long-term Senate and House staff members are deeply entrenched in a system that rewards those who play by its long-embraced rules and punishes outsiders and mavericks. When one member retires, his staff members often find work with other members.

The Senate's seniority system, which the House doesn't have, favors veteran, establishment Republicans over antiestablishment conservatives.

At the same time, most of the new representatives and senators have come to Washington pledging not to become career politicians. On record with the voters back home, they came to Washington with contempt for the establishment. Most advocate term limits and less government, a populist philosophy at odds with the enduring ways of establishment Washington.

The first half of the 104th Congress has seen the opening salvo in the war over the role of government. The stakes are high: the survival of establishment Washington. And, like cowboys in a Western barroom brawl, the fight is about to stumble into next year's presidential elections. ■



JOHN HARRINGTON / THE WORLD & I

JOHN HARRINGTON / THE WORLD & I

■ ***Senate contenders:*** **Majority Leader Bob Dole (left) tends to be establishment-oriented, while his whip, Sen. Trent Lott, is more of a revolutionary.**

J. Bradley Keena is director of media relations for the Free Congress Research and Education Foundation in Washington, D.C. He is also a cohost on the television program* Capitol Watch *on NET-Political NewsTalk Network.

Vive le Conservatisme!

by Sarah Chayes

New French President Jacques Chirac may have achieved a dramatic, plucky upset in the spring elections, ending 14 years of Socialist rule, but Franco-American relations are expected to remain on an even keel, with their usual peculiar mix of camaraderie and conflict.

What the French elected in Chirac on May 7 was the national leadership of the most solidly right-wing government that has ever ruled the country at the local, regional, and national levels. The majority coalition controls two-thirds of French city halls and 21 regions out of 22. It possesses an 80 percent majority in Parliament.

Chirac projected himself as the candidate of change and promised to slash unemployment and bridge the gap dividing French society. Postelection commentaries noted that, with such unprecedented backing, he would meet with all-the-less indulgence if he failed.

For France also elected a morally strong opposition this spring. Socialist candidate Lionel Jospin, chosen belatedly by a party still reeling from two blistering electoral defeats, staged that rare event in political history: a genuine upset. Confounding every preelection prediction, he won the first round of voting, held on April 23. His 47 percent score in the second round—more than anyone had thought possible—helped reforge the Socialist Party. It also served as a reminder that Chirac's public support is less monolithic than his hold on the political institutions implies.

Indeed, the election of Chirac as France's 22nd president was by no means a foregone conclusion. He was trailing badly in the polls when he announced his candidacy a mere five months before the election. *Les Guignols*, France's immensely popular television news satire, portrayed him as a hopeless loser reduced to waving pom-poms and shouting through a bullhorn to make himself heard.

When the tide turned in the early spring, even veteran observers like Michel Brulé, cofounder of the BVA Polling Institute, were amazed: "It's not so much the decline of Prime Minister Edouard Balladur [Chirac's chief rival on the right] that surprises me," he said at the time. "But Jacques Chirac! We've known him for 25 years! We—especially we pollsters—thought we knew everything about him. But now it's like the Beaujolais Nouveau: the new Jacques Chirac has arrived."

For most of the campaign, the main contenders were the two neo-Gaullist leaders and onetime friends turned bitter enemies, Balladur and Chirac. Balladur had surfed on one of the most sustained waves of high popularity enjoyed by any prime minister in recent memory. Fatally, he seemed to take it for granted. He clung to the almost patrician bearing that corresponded to his view of high office but that in the end clashed with France's boisterous style of democracy.

Balladur's defeat can also be blamed on a problem France has

not seen the last of: political corruption. A candidate whose stock-in-trade included a Mr. Clean image, he had everything to lose as indictment followed indictment during his administration. Three of his cabinet members were forced to resign under charges of corruption or abuse of office. One was in jail. When several new scandals broke early in the year—including a clumsy effort to lean on an overly inquisitive investigating judge and a face-off with the United States over alleged spies operating in Paris—a mass transfer of affection from Balladur to Chirac began.

JUPPÉ'S STAR

"The president should preside, the government should govern, and the legislature should make laws and watch over their execution." This credo of a modest presidency, which Chirac made a theme of his campaign, indicated the important role his prime minister would play. By choosing Alain Juppé, Chirac sought to send a message of competence and maturity to observers at home and abroad.

Prime Minister Juppé is widely viewed as the most brilliant political leader of his generation. A pure product of Paris' famous *grandes écoles* (the National School of Administration and the Ecole Normale Supérieure), he has executed a political career that even the left-leaning daily *Liberation* referred

WIDE WORLD

■ ***Right face:*** **Parisians unfurl the tricolor as President-elect Jacques Chirac acknowledges applause from the balcony of his campaign headquarters.**

New Order in Paris

The administration of conservative French President Jacques Chirac will likely be characterized by the following:

Continuing to hang tough vis-à-vis the United States on agricultural trade policy.

Further attempting to one-up Washington in Third World hot spots.

Being more active in NATO's command structures.

Standing up for French and European sovereignty.

Promoting a unified Europe, despite earlier rhetoric.

Maintaining warm relations with Germany.

Changing of the guard: **Conservative President-elect Chirac (left) chats amiably with Socialist President François Mitterrand.**

Steering a middle course on immigration, avoiding anti-immigrant rhetoric.

Requisitioning empty buildings for use by the homeless.

Vigorously acting to lower unemployment.

to as "flawless."

He was budget minister during Chirac's second term as prime minister (1986–88) and just completed two years as foreign minister, where his calm discretion contrasted with the tempestuousness of Interior Minister Charles Pasqua. Such a record implies a talent for political navigating and a quick mind but perhaps also a certain conformity and a lack of the audacity and imaginativeness that the French public seems to want.

Indeed, part of Juppé's job is to act as a counterbalance to Chirac. France's new president is known for his extroverted temperament and down-to-earth ways—and also for his inconsistency, shifting priorities or fundamental policy orientations depending on who has his ear. Juppé's presence beside him is designed to improve the image. It is also a counterbalance to National Assembly President Philippe Seguin, the other pillar of Chirac's campaign, whose concerns over social cohesion and participatory democracy provided most of its winning themes.

Chirac consulted closely with his prime minister–designate over the formation of the cabinet. Juppé was able to place a number of his own collaborators on the president's staff and in key cabinet positions so as to guarantee support for his priorities, particularly France's commitment to the continuing process of European unification and the economic rigor that implies.

DOMESTIC POLICY

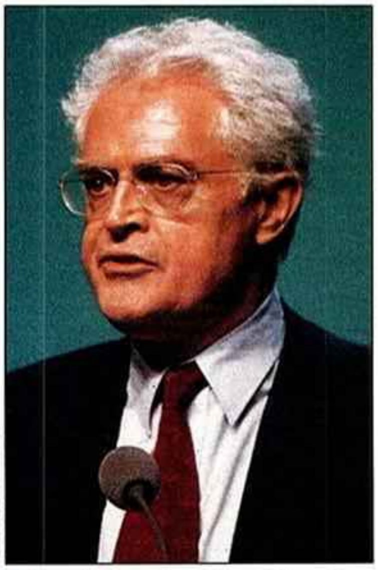
Chirac dedicated his presidency to the fight against unemployment, and Juppé, as prime minister, immediately took up the cry.

"The entire plan for government action I present to you today is contained in one word: employment," he said during his general policy speech before the National Assembly. With the jobless rate over 12 percent, unemployment is by far the most

important domestic issue in France. A newer anxiety is "social exclusion"—the marginalization unemployment can provoke: loss of housing, disintegration of the family, difficult access to education or medical care. According to a 1994 poll, half the French population fears it will slip between the cracks this way at some point.

Chirac is known for his extroverted temperament and down-to-earth ways—and also for his inconsistency and shifting priorities.

The Chirac-Juppé cabinet includes a number of new ministries designed to address these concerns: an employment ministry in addition to the traditional labor ministry, a ministry for integration and the fight against exclusion, one for solidarity between generations, and another for disadvantaged neighborhoods.



CHARLES CARATINI / SYGMA

■ *Hard-charging loser:* **Lionel Jospin, the Socialist presidential candidate, won 47 percent of the vote, showing his party still has great popular support.**

On the other hand, the very number and variety of these "social" ministries led some post-election commentators to conclude that their value is largely symbolic. The reins of economic policy—on which employment necessarily depends—are in the hands of one man: Economy and Finance Minister Alain Madelin, a fervent proponent of the free market, with orthodox views on monetary policy and the budget.

"If all you had to do to fight unemployment was run up a deficit and increase government spending," Madelin remarked at his first European Council of Ministers meeting, "the word would have gotten out long ago."

The government's legislative priorities confirm the implications of these appointments. They include incentives for businesses offering to hire the long-term unemployed, a reduction in the social charges on low-wage jobs, and commissions to study current or potential employment prospects on a local level. Employment, in other words, is to be treated on a case-by-case basis. There will be no major jobs-creation program nor effort to boost consumption other than a 4 percent increase in the minimum wage instead of the legally required 2-4 percent.

France's commitments to its European partners regarding the stability of the franc and the reduction of the national debt weigh in this choice. For the same reasons, the privatization program launched by Balladur will be vigorously pursued, with revenues earmarked for deficit reduction.

PASCAL PARROT / SYGMA

■ *Eurolink:* **New Prime Minister Alain Juppé is a brilliant politician who strongly advocates European unification and economic rigor.**

WIDE WORLD

■ *Former front-runner:* **Edouard Balladur, the conservative former prime minister, squandered a huge lead in the polls and was eliminated in the first round of voting.**

This pursuit of what amounts, after all, to rather familiar policies threatens to be marred by only one thing: popular opposition. The months immediately preceding and following the election were already marked by an unprecedented wave of strikes, in which salary demands—for the first time in years—were high on the agenda.

Chirac raised high hopes regarding jobs "exclusion" and housing. (He launched his climb in the polls with dramatic promises to requisition empty buildings for use by the homeless as part of an entire recasting of the nation's housing policy. By the election, 80 percent of the French public supported application of an existing requisition law.) Failure to deliver could unleash protests similar to those that forced Balladur into a number of embarrassing policy reversals.

Immigration policy is another major—and tense—domestic issue. The extreme right-wing National Front, whose platform includes sending the country's four million foreign residents back to their countries of origin, scored a surprising 15 percent in the first round of voting. At the same time, three homicides in a matter of months by National Front supporters or skinheads sharing their political views provoked widespread outrage.

The Chirac government is likely to chart a careful course, leaving in place the famous Pasqua Laws tightening the rules on immigration and nationality but not making the issue a keystone of its domestic policy.

FOREIGN POLICY

The salient feature of France's new foreign policy is that it will be firmly in the hands of President Chirac and Prime Minister Juppé. The latter left the Foreign Ministry to become prime minister and is unlikely to relinquish control over ongoing matters he knows better than anyone else in government. New Foreign Minister Hervé de Charette shares many of Juppe's orientations and lacks the political stature to provoke a confrontation, should he be so inclined.

Also telling is the absence of Charles Pasqua—or anyone like him—from Juppé's government. Pasqua was Prime Minister Balladur's strong-willed interior minister and virtual second-in-command. His firm ideas on Islamic fundamentalism in particular and his carefully cultivated network of contacts throughout France's former colonies led him to intervene in the foreign policy domain. Sniping between Pasqua and then-Foreign Minister Juppé became a regular feature of the Balladur government.

As prime minister, Juppé will banish that kind of cacophony, leaving French foreign policy more legible.

The difference will be most clearly felt in Paris' policy toward Algeria. A contrast between Pasqua's unconditional support for the military government and Juppé's exploration of different interlocutors was manifest under the Balladur government. Juppé will now be alone to try to navigate this explosive crisis, which has deep emotional force in France as well as serious implications in terms of immigration.

The Franco-American love affair has seven good years before it.

It is European policy, however, that has monopolized the attention of France's new government. As a candidate, Chirac devoted almost half his major foreign policy speech to the issue. "Europe today is a necessary ambition," he said. "We need Europe in those areas where domestic policies require filling in, harmonization, or unification: agriculture, trade policy, aid to the developing world, rules of competition, environmental protection, working conditions." Chirac said European unification must "imperatively and rapidly" spread eastward.

His early symbolic gestures as president were designed to reinforce the tenor of these words by contrast with his own historic skepticism about the Maastricht Treaty. He appointed a number of convinced Europeans—even apart from Juppé and de Charette—to his cabinet and had an immediate, ostentatiously friendly visit with German Chancellor Helmut Kohl.

"The Franco-German relationship is in the nature of things," he said before walking over to a local bistro with Kohl to drink beer and eat headcheese. "It is without equivalent, for it is the foundation of our continent's peace and prosperity."

Still, despite this necessary adherence to the idea of Europe, Chirac's concerns are likely to influence France's policy. Paris will fight for a more unified foreign policy with a single representative—in the person perhaps of a president of the European Council—and a reinforced role for the national governments in determining European policy.

Regarding security issues, Chirac is committed to French—and European—sovereignty. Insofar as NATO institutions evolve with the evolution of Europe on the one hand and the nature of security threats on the other, France is likely to play a more active role in its command structures. On the other hand, Chirac is a staunch advocate of independent European security forces (Eurocorps, a European strike force, and so forth) and of the maintenance of France's nuclear deterrent. His decision to conduct eight nuclear tests, starting in September, before signing a test-ban treaty exemplifies this.

Such commitments "do not in any way detract from the solidity of our transatlantic alliances," he insisted in his foreign policy speech. "Indeed, it is in France's interest to consolidate the Franco-American friendship despite the occasional frictions we experience with our oldest ally."

Given his own inclinations and the easy political return, Chirac has no reason to soften France's position on such historic sore spots as agriculture policy or the role of the World Trade Organization. A certain one-upmanship will doubtless continue to characterize the French and American approaches to conflicts in the developing world (Algeria, Sudan, Rwanda/Burundi).

On the other hand, not all of Chirac's references to Charles de Gaulle should be taken at face value: The Franco-American love affair has seven good years before it. ■

Sarah Chayes is Paris correspondent for programs on the American Public Radio Network.

ECONOMIC WATCH

Productivity and Prosperity

by Douglas Adie

Rising productivity means an improved standard of living and less joblessness.

Through almost all of human history, productivity has been painfully low—a condition that leaves the door wide open to poverty, war, disease, and tyranny and to the reduced life spans and living standards those entail. Mass starvation was always just around the corner.

Economic growth, the offspring of rising productivity, has been agonizingly slow over the millennia. Only in the last 200 years—and especially the last few decades—has increasing productivity raised real wages and living standards in Europe, North America, and, more recently, the Pacific Rim.

Productivity is defined as the ratio of outputs to inputs. Because labor is by far the most important input, productivity is most often measured by the output-per-worker ratio. The most efficient production method maximizes this ratio.

The central economic problem has always been how to produce goods abundantly. To accomplish this, a businessman must choose the most efficient and productive manufacturing method.

Only advances in productivity improve the general standard of living. They increase aggregate demand for labor faster than the labor supply, thus bidding up real wages and reducing unemployment. When the output-per-worker ratio increases because of better training, minds, or physiques, or due to increases in the quantity or quality of other inputs, we live better without working harder.

A variety of factors can affect productivity:

- The skill and motivation level of the labor force. As workers become more skillful or work harder, productivity rises.
- The quantity and quality of other resources, namely, capital. If capital formation slows, or capital is not used as efficiently as previously, productivity can decline. On the other hand, as employees work with better equipment, materials, and plants, productivity increases.
- When the prices of energy and raw materials rise, companies substitute capital and labor for them. Although this is the economic thing to do, it reduces the measured growth in productivity.
- When output shifts to new products or services that have slow-growth productivity, measured productivity falls. Legal, accounting, and financial services, for example, can pull down overall productivity growth.
- Monetary instability and government policies such as regulation, taxation, and spending can decrease productivity. For instance, the Environmental Protection Agency and the Occupa-

tional Safety and Health Administration have reduced productivity growth as spending on antipollution devices and worker safety was diverted from productive capital. Unanticipated inflation diverts investment into unproductive channels. Government borrowing diminishes private capital formation. Growth of the welfare system decreases savings.

- Technological improvements are important. Any decline in innovation slows productivity growth, while increases in knowledge, invention, and innovation raise productivity. A high-technology economy is generally a high-productivity one.
- Global competition increases productivity, while protectionism suppresses it. (International competition does, of course, have a downside. As productivity rises in developing countries, wages often lag. The low-wage environment can lure business away from high-wage economies, reducing the bargaining power of labor in the latter.

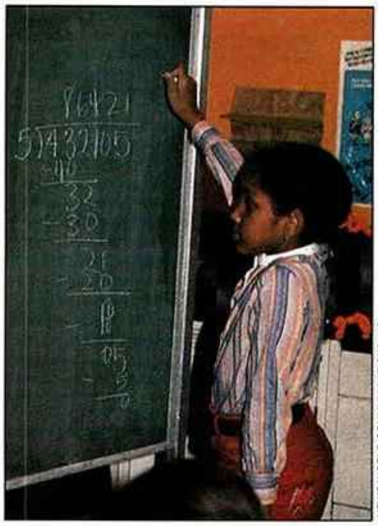
In the long run, productivity grows primarily when technical knowledge expands. This is the main engine for improving general societal welfare.

In the United States, the growth in productivity has been nothing less than spectacular. George Stigler, for example, used six industries to track a productivity index from 1899 to 1939. In this period, the index rose from 100 to 222.

In each decade, productivity increased an average of 14 percent—except for the 1920s, when it increased almost 50 percent. These are enormous cumulative gains, which result from technical advances that enable succeeding generations to stand on the shoulders of previous ones. Thus, the long-run policy of promoting productivity growth is enormously superior to the short-run policy of trying to avoid temporary unemployment. The gains from the former policy are cumulative and benefit not only present citizens but future generations.

After World War II, productivity rose 3 percent a year between 1947 and 1973. From 1973 to 1991, productivity increased only 0.7 percent a year. There has been some recovery, however, during the 1980s and '90s. Since early 1993, U.S. productivity has been rising at 2 percent per year. The United States still has the highest level of productivity, although its rate of productivity growth has fallen behind some of the newly developing nations.

Although other countries have gained on the United States in productivity growth, they do not appear poised to overtake it. Still, many Third World countries have been able to play rapid "catch-up" by investing larger fractions of income, attracting foreign investment, and acquiring technical know-how from leading economies through the scientific literature and reverse engineering of manufactured goods.


NEWS WORLD COMMUNICATIONS INC.

■ *Human capital:* A good education increases future workers' productivity.

Thus, U.S. productivity growth has done more than improve the welfare of succeeding generations of Americans. It has also been a catalyst for bringing undeveloped countries out of poverty and offering hope for political change and increased freedom, developments that tend to follow the economic liberalization needed to increase productivity.

All told, then, rising productivity is the engine that has brought the world economy this far. Robust productivity, as Adam Smith once said, enables the poorest pauper in our country to enjoy a higher standard of living than a chieftain in some primitive tribe. And it lends force to the maxim that a rising tide lifts all boats.■

Douglas Adie is professor of economics at Ohio University.

COMMENTARY

Terrorism

Let's Take Decisive Action

by Orrin Hatch

The Dole-Hatch Comprehensive Terrorism Prevention Act of 1995 represents a landmark, bipartisan effort to address an issue of grave national importance—the prevention and punishment of acts of domestic and international terrorism. This legislation adds important tools to the government's fight against terrorism, and does so in a temperate manner that is protective of civil liberties. I believe this bill is the most comprehensive antiterrorism bill ever considered in the Senate.

This legislation increases the penalties for acts of foreign and domestic terrorism, including the use of weapons of mass destruction, attacks on officials and employees of the United States, and conspiracy to commit terrorist acts.

It gives the president enhanced tools to use his foreign policy powers to combat terrorism overseas, and it gives those of our citizens harmed by the terrorist acts of outlaw states the right to sue their attackers in our courts.

BOB DAEMMRICH / SYGMA

Our bill provides a constitutional mechanism to the government to deport aliens suspected of engaging in terrorist activity without divulging our national security secrets.

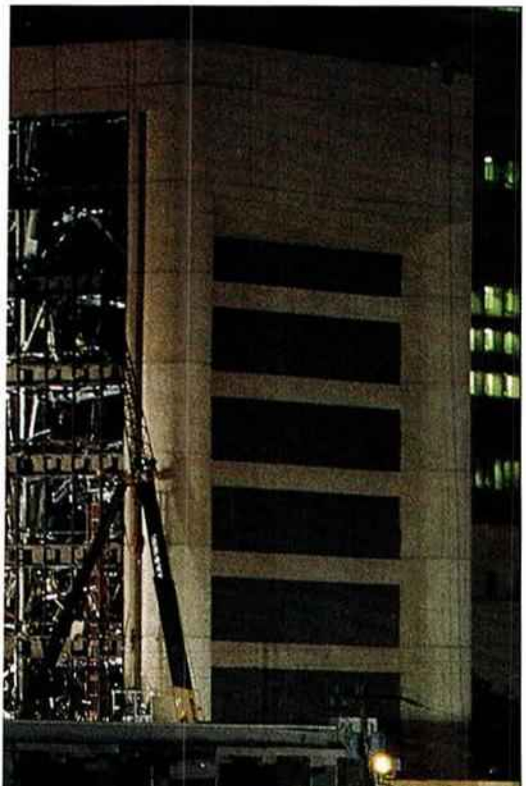
continued on page 72

Excerpted from the speech given by Senator Hatch as he submitted the Dole-Hatch Counterterrorism bill on May 29, 1995.

in America

Let's Not Overreact

by Doug Bandow



■ ***The Murrah building at night:*** **The terrorist bombing in Oklahoma City has stirred many emotions about the safety of America and American freedoms.**

The reactions inside and outside of Washington to the Oklahoma City bombing were sadly predictable. Around the country was anger, desire for understanding, and hope for healing. In the halls of the White House and Congress was shock, followed by a race for political advantage and demand for more power. In short, everyone did what came most naturally—citizens worried about their country while politicians worried about their influence.

This reaction was evident in attempts to brand critics of government as contributing to a "climate of hate" in which violence might occur. Needless to say, it is in the interest of presidents, legislators, and bureaucrats alike to discourage criticism. And many were quick to use the tragedy in Oklahoma City in an attempt to place themselves beyond reproach.

Second, politicians of both parties began posturing with proposals for new "counterterrorism" legislation. These bills would vest the federal government with vast new powers to wiretap, investigate, deport, use the military, and rely on secret evidence. If people don't already have reason to fear government, they certainly will if these measures become law.

Before Congress acts precipitously, legislators should answer four questions. Is terrorism so serious a threat that it requires an immediate, draconian response? Has government policy contributed to violence, like the bombing of the Alfred P. Murrah Building in Oklahoma City? Do federal agencies require more power to combat terrorism? Does the law enforcement interest outweigh the rights and liberties of citizens that would be sacrificed?

LET'S CONSIDER FOUR QUESTIONS

1. Is terrorism so serious a threat that it requires an immediate, draconian response? The Oklahoma City bombing was a hideous act, but, thankfully, it represents the exception rather than the rule. There were no terrorist incidents in 1994, either

continued on page 75

continued from page 70

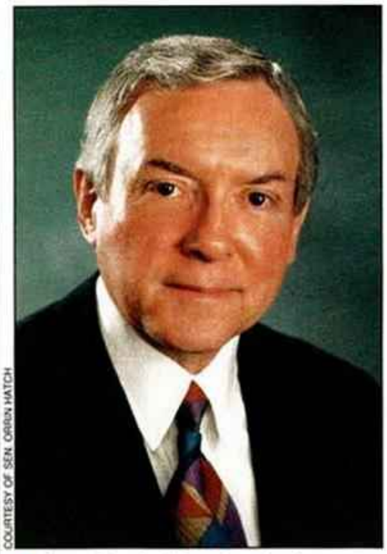
It also includes a provision that constitutionally limits the ability of foreign terrorist organizations to raise funds in the United States.

Our bill also provides measured enhancements to the authority of federal law enforcement to investigate terrorist threats and acts. In addition to giving law enforcement the legal tools they need to do the job, our bill also authorizes increased resources for law enforcement to carry out its mission. The bill provides $1.6 billion over five years for an enhanced antiterrorism effort at the federal and state levels.

The bill also implements the convention on the marking of plastic explosives. It requires that the makers of plastic explosives make the explosives detectable.

Finally, the bill appropriately reforms habeas corpus. Habeas corpus allows those convicted of brutal crimes, including terrorism, to delay the imposition of just punishment for years.

Several points, however, should be addressed. I have long opposed the unchecked expansion of federal authority, and will continue to do so. Still, the federal government has a legitimate role to play in our national life and in law enforcement. In particular, the federal government has an obligation to protect all of our citizens from serious criminal threats emanating from abroad or that involve a national interest.



COURTESY OF SEN. ORRIN HATCH

Sen. Orrin Hatch, chairman of the Senate Judiciary Committee.

We must nevertheless remember that our response to terrorism carries with it the grave risk of impinging on the rights of free speech, assembly, petition for the redress of grievances, and the right to keep and bear arms. We cannot allow this to happen. It would be cruel irony if, in response to the acts of evil and misguided men hostile to our government, we stifled true debate on the proper role of that government.

The legislation enhances our safety without sacrificing the liberty of American citizens. Each of the provisions of this bill strikes a careful balance between necessary vigilance against the terrorist threat and preserving our cherished freedom. Several of the provisions deserve special mention.

WHAT ABOUT UNLAWFUL ALIENS?

First, I would like to discuss the Alien Terrorist Removal Act. I firmly believe that it is time to give our law enforcement and courts the tools they need to quickly remove alien terrorists from our midst without jeopardizing national security or the lives of law enforcement personnel.

This provision provides the Justice Department with a mechanism to do this. It allows for a special deportation hearing and *in camera, ex parte* review by a special panel of federal judges when the disclosure in open court of government evidence would pose a threat to national security.

Sound policy dictates that we take steps to ensure that we deport alien terrorists without disclosing to them and their partners our national security secrets. The success of our counterterrorist efforts depends on the effective use of classified information used to infiltrate foreign terrorist groups. We cannot afford to turn over these secrets in open court, jeopardizing both the future success of these programs and the lives of those who carry them out.

Some raise heart-felt concerns about the precedence of this provision. I believe their opposition is sincere, and I respect their views. Yet, these special proceedings are not criminal proceedings for which the alien will be incarcerated. Rather, the result will

simply be the removal of these aliens from U.S. soil—that is all.

Americans are a fair people. Our nation has always emphasized that its procedures be just and fair. And the procedures in this bill are in keeping with that tradition. The Special Court would have to determine that:

1. the alien in question was an alien terrorist;

2. an ordinary deportation hearing would pose a security risk; and

3. the threat by the alien's physical presence is grave and immediate.

The alien would be provided with counsel, given all information which would not pose a risk if disclosed, would be provided with a summary of the evidence, and would have the right of appeal. Still, in our effort to be fair, we must not provide to terrorists and to their supporters abroad the informational means to wreak more havoc on our society. This provision is an appropriate means to ensure that we do not.

Second, this bill includes provisions making it a crime to knowingly provide material support to the terrorist functions of foreign groups designated by a presidential finding to be engaged in terrorist activities.

Nothing in the Dole-Hatch version of this provision prohibits the free exercise of religion or speech, or impinges on the freedom of association. Moreover, nothing in the Constitution provides the right to engage in violence against fellow citizens. Aiding and financing terrorist bombings is not constitutionally protected activity. Additionally, I have to believe that honest donors to any organization would want to know if their contributions were being used for such scurrilous purposes.

Congress has a responsibility to minimize the prospect that something like the Oklahoma City bombing can happen again.

PROTECTING HABEAS CORPUS

Finally, I would like to address an issue which has inappropriately overshadowed all of the other fine provisions of this legislation—the inclusion of the Specter-Hatch habeas corpus reform in this bill. Some have stated that the inclusion of habeas reform in this bill is political opportunism. Nothing could be further from the truth. The plain truth is, habeas corpus reform is entirely germane to this legislation. The president has asked for this reform. And the American people are demanding it.

Although most capital cases are state cases (and the state of Oklahoma could still prosecute this case), the habeas reform proposal in this bill would apply to federal death penalty cases as well. It would directly affect the government's prosecution of the Oklahoma bombing case:

1. It would place a one-year limit for the filing of a habeas petition on all death row inmates—state and federal inmates.

2. It would limit condemned killers convicted in state and federal court to one habeas corpus petition. In contrast, under current law, there is currently no limit to the number of petitions he may file.

3. It requires the federal courts, once a petition is filed, to complete judicial action within a specified time period.

Therefore, if the federal government prosecutes this case and the death penalty is sought and imposed, the execution of sentence could take as little as one year if our proposal passes. This stands in stark contrast to the 8 to 10 years of delay we are so used to under the current system.

President Clinton vowed that justice in the wake of the Oklahoma tragedy would be "swift, certain, and severe." We must help him keep this promise to the families of those who were murdered in Oklahoma City by passing comprehensive habeas corpus reform.

The Comprehensive Terrorism Prevention Act of 1995 provides for numerous other needed improvements in the law to fight

Antiterrorism Bill Passes

- The Senate responded to the Oklahoma City bombing by passing major antiterrorism legislation June 7 that would expand law enforcement's powers and limit appeals by death-row inmates.
- The $2 billion measure, passed by a 91–8 vote, includes provisions sought by President Clinton to enlarge federal law enforcement agencies and the government's wiretapping authority and allow use of the military in emergencies involving chemical or biological weapons.
- A House version of the bill passed the Judiciary Committee on June 14 and is expected to reach the House floor after July 4.
- At the White House, Clinton praised the Senate's bipartisan vote—52 Republicans and 39 Democrats in favor—and expressed hope that the House could quickly pass the same bill so that any attack similar to the one that killed 168 people in Oklahoma City could be forestalled or prevented.

—The Editor

the scourge of terrorism, including the authorization of additional appropriations—nearly $1.6 billion—to law enforcement to beef up counterterrorism efforts and increasing the maximum rewards permitted for information concerning international terrorism.

CERTAIN, SWIFT, AND UNIFIED RESPONSE

The people of the United States and around the world must know that terrorism is an issue that transcends politics and political parties. Our resolve in this matter must be clear: Our response to the terrorist threat, and to acts of terrorism, will be certain, swift, and unified.

Ours is a free society. Our liberties, the openness of our institutions, and our freedom of movement are what make America a nation we are willing to defend. These freedoms are cherished by virtually every American.

We must now redouble our efforts to combat terrorism and to protect our citizens. A worthy first step is the enactment of these sound provisions to provide law enforcement with the tools to fight terrorism.

In closing, what is shocking to so many of us is the apparent fact that those responsible for the Oklahoma atrocity are U.S. citizens. To think that Americans could do this to one another! Yet, these killers are not true Americans—not in my book. Americans are the men, women, and children who died under a sea of concrete and steel. Americans are the rescue workers, the volunteers, the law enforcement officials, and investigators who are cleaning up the chaos in Oklahoma City. The genuine Americans are the overwhelming majority of us who will forever reel at the senselessness and horror of April 19, 1995.

It falls on all of us, as Americans in heart and spirit, to condemn this sort of political extremism and to take responsible steps to limit the prospect for its recurrence. Can Congress pass legislation that will guarantee an end to domestic and international terrorism? We cannot.

Nevertheless, Congress has a responsibility to minimize the prospect that something like this can happen again. We must resolve that anarchistic radicalism—be it from the left or the right—will not prevail in our freedom-loving democracy. The rule of law and popular government will prevail. ■

Republican Sen. Orrin Hatch is the senior senator from Utah and chairman of the Senate Judiciary Committee.

continued from page 71

actual or prevented. Of 11 incidents in 1993, 9 were committed by animal rights activists in one night. Over the past 11 years there has been only one incident of international origin, the World Trade Center bombing. The State Department reports that international terrorist attacks are at their lowest level in nearly a quarter century.

Of course, even one attack is too many. But the current level of terrorist activity provides no cause for Congress to act without due deliberation. Legislators need to recognize that law enforcement agencies today often abuse their power, thereby stoking violent passions. In any case, the police already possess expansive authority to combat terrorism; Congress should honestly assess whether increasing these powers would do anything to combat real crime. Finally, legislators need to remember that it is a free society that they are attempting to protect. Marginal gains in a campaign against minimal threats are not worth the sacrifice of fundamental liberties.

2. Has government policy contributed to violence, like the bombing of the Alfred P. Murrah Building in Oklahoma City? Nothing can justify terrorism. Nevertheless, public officials must recognize that distrust of government is not limited to fringe groups. A recent Gallup poll found that an astounding 52 percent of people believed "the federal government has become so large and powerful that it poses a threat to the rights and freedoms of ordinary citizens." Four out of 10 thought the danger was "immediate."

There is much to fear. Government misbehavior in Waco, Texas, against the Branch Davidians and in Ruby Ridge, Idaho, against Randy Weaver and his family was well-publicized and deadly. Yet rather than holding law enforcement officials accountable, the Clinton administration promoted one FBI agent, reprimanded for his role in both affairs, to deputy director. Congress has yet to hold hearings, despite abundant evidence of government agencies abusing their vast authority. [Waco hearings were slated to begin July 14.] These cases, along with numerous brutal and erroneous DEA, ATF, and local police raids, suggest that government power itself is a serious problem.

Placing even greater authority in agencies that have abused their trust would only exacerbate peoples' fears of Washington. Therefore, legislators should first concentrate on reforming the present system. Unnecessary powers need to be terminated; abuses need to be curbed; accountability needs to be reestablished. Only then, when people's liberties would be less at risk, should Congress consider expanding the authority of law enforcement.

A Hasty Response to Terrorism

- The Senate is congratulating itself for passing the Comprehensive Terrorism Protection Act of 1995 just seven weeks after the Oklahoma City bombing. But the Senate's hasty and ill-considered action has come at a price. Steps designed to protect Americans' physical safety will in many cases erode their liberties.

- The legislation, a grab-bag of bills proposed by the Clinton Administration and members of Congress, contains some sound provisions. It provides, for example, more FBI personnel and resources to combat terrorism, increased penalties for dealing in explosives used to commit crimes and measures to make bombs easier to trace.

- But the temptation was too strong, both in the White House and the Senate, to load the bill with tougher-sounding, more crowd-pleasing provisions. These include wide-ranging surveillance power for law enforcement agencies, crackdowns on suspected aliens and more blurring of the line between military forces and domestic peacekeeping police.

—Editorial, excerpted from *New York Times*
June 9, 1995

3. Do federal agencies require more power to combat terrorism? Although Oklahoma City has become the justification for the pending antiterrorism bills, the alleged perpetrators of that bombing were quickly apprehended. So, too, were the bombers of the World Trade Center. Moreover, since 1989, law enforcement officials have prevented nearly as many terrorist attacks as have been committed, 23 compared to 31. There is no evidence that federal agencies need more power to respond to terrorist threats.

Federal law already bars financial support for foreign terrorist groups. Proposals to expand this prohibition, give the president unreviewable authority to designate groups as terrorist, and investigate people where no evidence of a legal violation exists are unjustified. Similarly, terrorist acts, like the Oklahoma City bombing, are already against the law. There is no need to expand the definition to include literally every crime—"any unlawful destruction of property"—for example, which may be best handled by local authorities (such as animal rights activists).

ALLAN TANNENBAUM / SYGMA

■ ***Aftermath of the World Trade Center bombing:*** **The perpetrators of this crime were caught with the laws and regulations on the books.**

THE GOVERNMENT HAS ENOUGH AUTHORITY

The federal government already has wiretap authority for such crimes as arson and homicide; proposals to expand that power to almost any crime (including misdemeanors, in the Clinton administration legislation) have nothing to do with combating terrorism. After all, of 7,554 requests for wiretap authority submitted by the FBI since 1978, only one has been rejected by the special seven-member court that oversees the process. The many new powers being proposed by President Clinton, Majority Leader Robert Dole, and others are no more necessary to the prevention of terrorism.

4. Does the law enforcement interest outweigh the rights and liberties of citizens that would be sacrificed? Even if increased power might marginally improve government's ability to respond to terrorism, Congress must still weigh the benefits against the costs. For example, the FBI investigative guidelines were created for a reason: the agency's Counter-Intelligence Program (COINTELPRO) resulted in spying on literally millions of law-abiding Americans from the 1940s through the 1970s. Yet this orgy of surveillance did not make America more secure. Nearly 700 FBI operations yielded a grand total of four convictions.

Similarly, the wholesale federalization of crimes would make Americans less free without making them more secure. State law already covers violent crime; existing federal law reaches special offenses, such as threats against the president. Proposals to expand federal jurisdiction combined with a broadening of the much-abused RICO statute, enhanced restrictions on money laundering, loosening of restraints on wiretapping, and use of the military to enforce domestic law would provide numerous opportunities for government to abuse citizens' rights.

Expansion of wiretaps to almost any felony would also cost the American people more

in lost liberty than any security they might gain. Today, the government is empowered to seek wiretaps in cases involving arson and homicide, typical ingredients of terrorist acts. Yet federal wiretaps rarely involve these issues. In fact, wiretapping is focused on, of all things, gambling, along with racketeering and drugs.

Other assaults on individual liberty that have been tied to terrorism include proposals to restrict habeas corpus, which requires the government to justify holding a citizen, and limit encryption software, which ensures the privacy of computer communication. Neither proposal is designed to combat terrorism. After all, habeas corpus, such a jealously guarded right that the Constitution permits only Congress to suspend its application, and to do so only during "rebellion or invasion," applies to those already in government custody. And computers have played no role in any recent terrorist plot.

More closely tied to international terrorism is the proposal to allow special courts to use secret evidence, withheld from the defendant, in deportation proceedings of legal residents of the United States. Yet the right of "confrontation" is a critical procedural safeguard. Once Congress embarks upon the slippery slope of allowing the government to present arguments without giving the defendant a chance to directly respond, legislators could apply this principle against citizens in any case involving a serious crime: murder, arson, and the like. Either the courts would void such laws as unconstitutional, as they have done in similar cases in the past, or American citizens could end up appearing before a tribunal akin to that of Great Britain's hated "star chamber."

Citizens worried about their country while politicians worried about their influence.

DON'T SUBVERT POSSE COMITATUS

The president and Senator Dole have proposed increasing the role of the military in terrorism cases—essentially, repealing the Posse Comitatus Act whenever the attorney general desires military assistance. At the same time, both proposals would eliminate jurisdictional restrictions on such agencies as the ATF, allowing them to act however they pleased against anything termed "terrorism."

But there are very good reasons for retaining a bright line between the military and domestic law enforcement. The Defense Department should not be diverted from its most important job of defending America from international foes. Soldiers are not trained in the niceties of civil liberties; involving the Pentagon will simultaneously militarize and centralize law enforcement, poor practices in a republic. In fact, abuses have been evident in the ongoing use of the National Guard in drug interdiction campaigns. Similarly, reducing restraints on specialized law enforcement agencies will encourage further malfeasance by bureaucracies that already exceed their rightful authority, without any concomitant improvement in domestic security.

Terrorism obviously poses a serious threat to a free society like our own. But legislators should tailor their response to meet the threat, not garner votes. Despite the hideous Oklahoma City bombing, America remains largely free of terrorism. Congress' first task, then, should be to investigate how renegade government agencies are abusing their power and creating grievances that some misguided people believe are properly addressed through violence. Only then should legislators consider expanding federal law enforcement authority, and then only if they can do so without undermining the basic freedoms that make this nation unique—and worth living in. ■

Doug Bandow is a senior fellow at the Cato Institute and a former special assistant to President Reagan. He is the author of **The Politics of Envy: Statism as Theology** *(Transaction).*

Easing Castro Out of Cuba

by William Ratliff

The Four Horsemen are stamping restlessly, waiting to do their thing in Cuba. For decades, Fidel Castro, his allies, and his enemies at home and abroad worked overtime to line up Cubans for or against "the revolution." As a result, Cubans have become murderously polarized, and as things stand today it is likely that Castro's inevitable exit will bring a bloody apocalypse.

But the Four Horsemen need not ride across the island if Cubans and Americans will move beyond Cold War thinking and often understandable feelings of vengeance to use imagination and goodwill to resolve the impending crisis. Recent events have introduced what may be a way out, Castro's latest musings on stepping down juxtaposed with the "rediscovery" of Cuba's 1940 constitution, which could be his vehicle for leaving.

Several months ago, *Paris Match* asked Castro if he had thought about retiring. "It all depends on what you mean by retirement," he said. Writing, thinking, developing ideas, he implied, might appeal to him.

Of course he has said this sort of thing before and not left. Still, Castro knows that at nearly 69 he cannot rule much longer, and he knows that when he goes, Cubans at home and abroad will almost certainly lurch into a period of bloody violence and repression. Will he insist on living out his slogan Socialism or Death, thus bringing on the horsemen, or will he be a statesman and help reduce tensions by going?

Castro is the critical player because he holds power. Nevertheless, reduction of tensions would also require the cooperation of other Cubans and American politicians.

TAMPA OPENS THE DOOR

Physician José Mijares and Cuban Americans in Tampa—in their organizational structure probably the most democratic in the States—performed a critical service in 1994 by rediscovering the 1940 constitution, a progressive, internationally admired document that was in force from 1940 until it was tossed aside by Fulgencio Batista as part of his 1952 military coup. One of the few justices then on the Cuban Supreme Court who possessed the courage to condemn Batista's action was José Morell Romero.

The rediscovery reminded us that, according to the 1940 constitution, when there is no constitutionally elected president—which there hasn't been since 1952—the office passes to the vice president, then the president of Congress, and finally to the senior justice of the Supreme Court. Thus, by process of elimination, the person in line today is Morell Romero, now 88, who was inaugurated president of Cuba several months ago in Tampa. He quickly won the endorsement of the Miami-based Havana Bar Association in Exile.

Most support for the new president comes from Cuban Americans outside of Miami.

In May, some 50 groups within Cuba itself, partners in the Union of Cuban Opposition, pledged their "unconditional support" for Morell and the constitution.

FIDEL AND THE 1940 SOLUTION

But the potential clincher here is that in his famous "History Will Absolve Me" speech in 1953, Castro himself pledged to restore the 1940 constitution. For the next five years, in jail, in exile, and in the hills, Castro chanted his pledge.

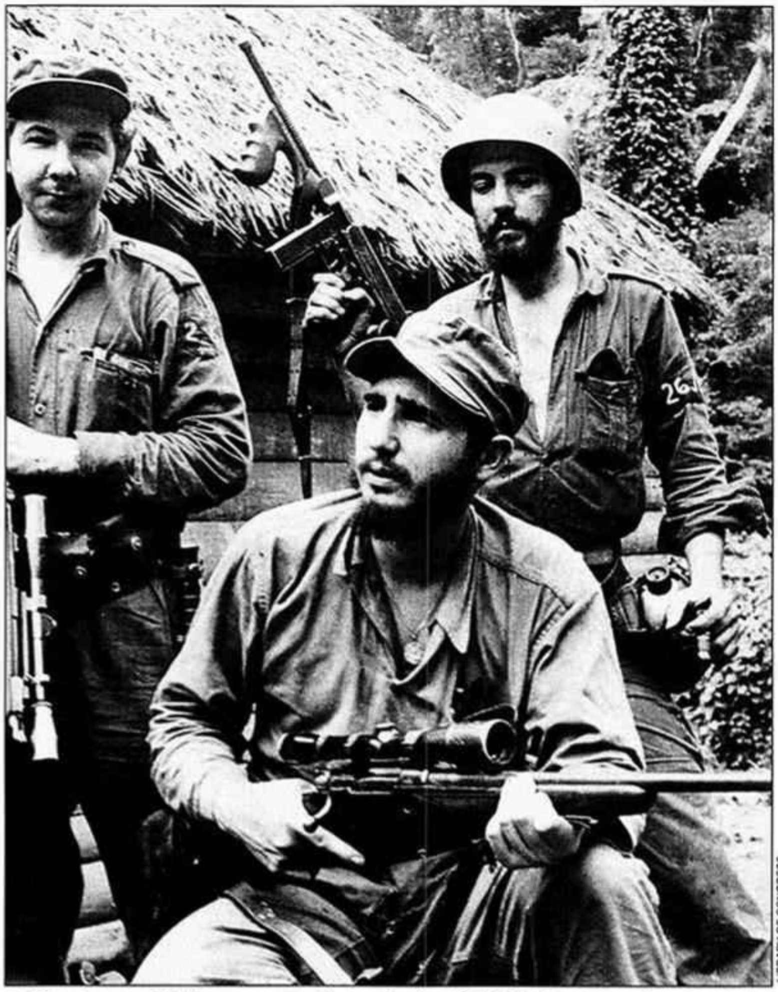
Of course, when he took power in 1959 he did no such thing, and one of the few justices to condemn him was Morell, who in 1960 went into exile. In 1976 Cuba got its Soviet-style constitution, which doesn't provide for such "bourgeois" nonsense as voting for one's president in free, democratic elections.

Thus, Castro's solemn pledge

to the Cuban people has remained unfulfilled.

This solution may require some tough and distasteful compromises. Retribution often isn't absolute. Military leaders in Chile and Argentina are not in jail, but most people there are better off for the compromise. East German spymaster Markus Wolf is free, according to German law, despite masterminding all sorts of brutal acts. Among the problems Cubans must face are the following:

- For Castro, security. Without his General Directorate of Personal Security, the elite bodyguards who have protected him for decades, Castro's life may be constantly threatened, wherever he is.
- Even if Castro's security could be guaranteed, what about that of those top aides who have survived his own purges? If Castro is given amnesty for all he has done, as Wolf was, but underlings are punished, as in Germany, why would they go along?
- For his most relentless critics, "justice" means Castro's death. Many have good reason for wanting this. But will insisting on it prolong repression and make a bloody showdown with countless casualties inevitable? Retribution is only part of justice, and varying degrees of amnesty may be in order for the broader common good.
- What about the current constitution? According to its own Article 141, it can be reformed in its totality by the National Assembly and a vote of the majority of Cubans in a referendum. Would a referendum include exiles?
- What guarantees can be made that elections will be free and fair? What international supervision will be necessary?


LIBRARY OF CONGRESS

■ *Castro and fellow revolutionaries in 1957:* **Before coming to power, Fidel promised to abide by the constitution of 1940, which he promptly ignored.**

The United States is too much a participant in the polarization of Cuba to be a mediator. Instead, the mediator should be someone like Argentina's President Carlos Menem, whose top aides have already been talking to Castro.

The 1940 solution is a long shot and might involve unsettling compromises, but given the virtual certainty of a bloody showdown without it, every person of goodwill should give it a chance. If Castro turns the horses loose, let him shoulder the blame for the consequences. ■

William Ratliff is a senior research fellow at the Hoover Institution, Stanford University, and the editor of* Inside the Cuban Interior Ministry *(Jamestown Foundation, Washington, 1994).

A Framework for Post-Castro Cuba

ALL PHOTOS COURTESY OF THE HOUSE OF REPRESENTATIVES

by Ileana Ros-Lehtinen

The struggle to liberate Cuba from the grasp of Fidel Castro, undertaken by Cuban exiles and dissidents inside the island, has always been driven by the principles embodied in the Cuban constitution of 1940, which at the time of its adoption was hailed as among the most progressive in Latin America. These principles include the same freedoms that those of us who find ourselves in exile in the United States enjoy: freedom of speech, of assembly, of the press, of religion; the right to private property and to elect our government representatives; and the whole spectrum of civil liberties.

Throughout this long struggle, Cuban Americans and the people of Cuba have always been able to count on the support of the United States and a long list of American presidents. However, this unwritten commitment to help the liberation of Cuba was broken this year by President Clinton, who instituted a new policy of repatriating freedom-seeking Cubans.

While preferring a dialogue with Castro, the Clinton administration has turned its back on the best means to rid the island of the dictator: increasing sanctions. Since the approval of the Cuban Democracy Act of 1992, which for the first time implemented a true embargo against the Cuban regime, it has been apparent that the dictator has struggled to remain in power.

Given this reality, new sanctions, as represented in the Cuban Liberty and Democratic Solidarity Act now pending in Congress, will deliver a devastating blow to the regime. Such measures will dramatically reduce the foreign investment pumped into the island, which Castro now uses to substitute for the Soviet subsidies he previously received.

Indeed, when the Castro regime finally is eliminated and freedom and democracy once again arrive on the island, the principles of the 1940 constitution will serve as a practical and serious framework for the beginning of a new democratic and prosperous Cuba.

Ileana Ros-Lehtinen is a Cuban émigré representing the Eighteenth Congressional District in Miami.

More to It Than Meets the Eye

by Lincoln Diaz-Balart

There is deep misunderstanding of the underlying reasons for the massive opposition Cuban Americans have demonstrated during the last month to the secret deal with Castro that was announced on May 2 by the Clinton administration. It would be useful to understand that the immigration question is the cause of only part of Cuban Americans' objection to the deal.

This is much more than an issue of unconscionable treatment of refugees from communism. It is an issue that involves deep frustration caused by seeing secret deals negotiated with the Cuban tyrant while other Caribbean tyrants are subjected to total blockades by the same administration in Washington. It is an issue that involves the pain of knowing that U.S. policies are

serving to tighten Castro's grip on his oppressed people.

A congressional colleague asked me the other day why Cuban Americans are so upset that refugees from Cuba who reach U.S. shores in the future will no longer be welcome. "Why aren't they satisfied with the 20,000 that Castro is going to let out each year?" he asked. That's just the point, I replied, *Castro* is going to let them out. *Castro* will decide who leaves and who stays. There can be no better way to increase the pressure for subservience to the dictatorship within Cuba than by guaranteeing that only those who Castro agrees to leave can in fact do so.

Cuban Americans are not demanding that 20,000 Cubans leave the island. They seek a quota of only two: the Castro brothers.

I recently reviewed the results of a serious, scientifically conducted exit poll of Cuban Americans taken on a recent election day in Dade County. Approximately 90 percent supported a blockade of Cuba. Cuban Americans seek freedom for their brothers in Cuba, not unlimited immigration to the United States. Freedom in Cuba will solve the immigration problem in the only permanent and ethical way.

Lincoln Diaz-Balart is a Cuban émigré representing the Twenty-first Congressional District in Miami.

How Easily Eased Out

by Robert Menendez

I commend those involved in this project for their efforts to tailor a constructive alternative to Fidel Castro's destructive behavior.

However, "imagination and goodwill" are not the only essential components for a political solution in Cuba; inside Cuba, sheer political will is required to enact genuine reforms that would transform Castro's political dictatorship and command economy into a political democracy and a market economy. In January 1959, Fidel Castro made sure that he was the exclusive repository of that political will. Just as it is his will to keep Cuba in chains, so can he choose to sever those chains.

Of course it would be fortunate for Cuba and the Cuban people if their leadership followed the exemplary 1940 Cuban constitution—one of the most forward-looking democratic documents of its time. The author points out that, prior to taking power, Castro committed himself to upholding the constitution of 1940. Yet, once he grasped power, he jettisoned that great document. He can begin to observe its provisions right away, but he refuses.

I am somewhat surprised that anyone believes that the Cuban dictator, after 36 years of defying that constitution and the ample freedoms it espouses, would suddenly drop the present constitution, written by his communist Soviet and Bulgarian masters. The author ironically may have put it best when he states that the 1940 constitution is "the potential clincher" for a way out of Cuba's quandary. Much potential? Yes. A clincher? I doubt it.

Robert Menendez is the son of Cuban émigrés and represents the Thirteenth Congressional District in Perth Amboy, New Jersey

MEDIA IN REVIEW

A CASE OF RELIGIOPHOBIA?

by Thomas Johnson and Steve Kaminski

Though the vast majority of Americans believe in God and identify with organized religion, it seems to be an article of faith among those in the secular media that traditional spirituality lacks importance—a sentiment that has led them to largely ignore religious issues.

In fact, studies by the Media Research Center (MRC) of television programming for 1993 and 1994 show that TV not only neglects religion but, when it does examine it, often denigrates it.

This was especially true, the studies indicate, of news broadcasts, which were heavily negative toward religion both years. In prime-time entertainment programming, however, there was a remarkable turnabout from 1993 (when a plurality of religion references were negative) to 1994 (when more positive than negative references were made).

Prime time: recent improvement

Since it became a national force more than four decades ago, television has generally practiced strict separation of church and entertainment.

"Clergy [have been] a rarity on prime time," stated media scholars S. Robert and Linda Lichter and Stanley Rothman in their 1994 book *Prime Time*, "and religious themes [have been] rarer still."

Until about 20 years ago, most prime-time portrayals of faith were positive. However, the treatment of religion began to change in the early 1970s. "Traditional religious messages," Lichter, Lichter, and Rothman wrote, "were replaced by television's social gospel and cautionary tales about the need to question religious authority."

In the 1993 study, which was the first-ever comprehensive content analysis of prime time and religion, the MRC looked at an entire year of entertainment programming on ABC, CBS, NBC, and Fox. In the wake of the second study, covering 1994, the following changes can be seen from one year to the next:

- The most striking difference between the two years was in the total number of religious depictions. With almost the same amount of original prime-time programming—1,674 hours in 1993 and 1,716 in '94—treatments of religion jumped from 116 to 253, though this still represents a tiny portion of total program time.

The MRC defined *treatment* as any taking-up of a religious topic: possibly (from shortest to longest) a one-line quip, a scene-long dialogue, or a thematic handling that pervaded an entire episode. No matter the length, each was counted as one treatment.

- Perhaps as important as the increase in religion treatments was the overall change in their nature. In 1993, a plurality of all religious portrayals (42 percent) were negative, easily outdistancing positives (28 percent). In 1994, however, positive depictions (44 percent) led, with negatives (23 percent) trailing far behind.

The MRC placed prime

time's religious portrayals in four main categories: depictions of faith, meaning relatively simple affirmations of belief or nonbelief in God; treatments of churches in institutional and doctrinal terms; portrayals of the laity, especially the devout; and portrayals of the clergy.

The positive/negative ratio has varied widely among the categories. In both years, depictions of faith (27 in 1993, 50 in '94) were usually favorable: 63 percent the first year, 74 percent the second.

To a large extent, this has been because TV's hostility to religion infrequently takes the form of overt expressions of agnosticism or atheism, whereas all instances of prayer—which may be more of a reflexive response to stress or a pro forma ritual than a true manifestation of faith—were counted as positives.

For example, a character on ABC's *Homefront* who asserts, "I have an equal affection for all religions: none," is clearly making a strong antireligious statement. A character on Fox's *Beverly Hills 90210* who, about to have surgery, asks two friends to pray for him may be devout, or may just be further proof that there are no atheists in foxholes or on operating tables.

CBS

■ ***Hit man?*** **CBS anchor Bob Schieffer, reporting in 1993 on the murder of Florida abortionist Dr. David Gunn, said, "We've all noticed there has been a link between crime and religion."**

Portrayals of churches, laity, clergy

● Depictions of churches in their institutional/doctrinal role skyrocketed from 12 (50 percent positive, 50 percent negative) in 1993 to 74 (46 percent positive, 22 percent negative) last year. Given the small number from '93, comparing the two years' percentages is not especially enlightening, but the more-than-sixfold increase in total portrayals—the greatest in any MRC categories—is noteworthy.

Within the positive category, church as a good influence on the young was a repeated theme. On Fox's *Melrose Place*, a young woman gave up prostitution after a tearful visit to the confessional, and a detective on NBC's *Homicide: Life on the Street* credited his Catholic education for his intellectual development.

Many of the negative examples were anti-Catholic. A character on NBC's *Café Americain* recalled that, when he went to parochial school, an unspecified "they" "stuck a bag over my head and shaved my genitals." Sometimes, a character will distinguish between a Supreme Being and churches as institutions; a woman on CBS's *Love & War* said she believed in God but had "a problem with organized religion."

● Portrayals of the laity more than doubled, from 22 in 1993 to 48 in '94. In percentage terms, negatives won in a landslide (68 to 18 percent) in '93. But in '94, positives exceeded negatives, 44 to 35 percent, respectively.

A breakthrough in prime time was the introduction of a born-again character, Jane Hall-

FOX

■ *Renouncing prostitution:* **Portrayals of religion on network entertainment programs improved markedly in 1994. Here, a young woman on Fox's *Melrose Place* enters a Catholic church prior to a tearful confession and giving up her life of prostitution.**

iday, to NBC's *L.A. Law* for its last season, 1993–94. In consecutive episodes, Jane rejected the advances of the office Lothario by telling him she was a practicing Christian, then talked a man out of suicide by imparting a faith-based message. Another positive took place on CBS's *Chicago Hope*, when a manifestly Catholic chief of staff opposed ending life support for a baby born without a brain.

On the downside, ABC's *Roseanne* discussed wacky religious relatives, including "a family that follows Pat Robertson around like he's the Grateful Dead." Catholicism came in for some knocks here as well: A cop on NBC's *Law & Order* called religion "garbage" and remembered how his mother "had a rosary in her left hand while she beat the crap out of me with her right."

● Clergy was the only category in which negative depictions outnumbered positives in both years. The margin between them, however, narrowed tremendously. Of 34 clerical portrayals in 1993, 59 percent were negative, 15 percent positive. Of 61 in 1994, 31 percent were negative, 28 percent positive.

Some favorable examples: On ABC's *Step by Step*, a minister gently persuaded a reluctant churchgoer that sermons were more important than televised football, and on CBS's *Northern Exposure*, a visitor to a monastery was treated warmly.

The Catholic-clergy-as-violent-disciplinarians theme was well represented among the negatives: A character on NBC's *Sweet Justice* said he "still [has] nightmares about Sister Mary Steam Engine sneaking up behind me with her ruler."

Televangelists were targeted as well. One featured in the ABC movie *French Silk* picketed the publishers of pornographic magazines until they contributed to his ministry. He was also the father of an out-of-wedlock child.

● As for any networks being especially pro- or antireligion, there was no pattern. From the largest to the smallest percentage of positive religious portrayals, ABC finished first in the 1993 standings, with NBC, Fox, and CBS trailing in that order. Those rankings were completely inverted in 1994: CBS had the highest percentage of positive treatments, followed by Fox, NBC, and ABC.

TV news: almost a void

The TV networks mostly ignore religion on their nightly broadcasts.

On the one hand, this shouldn't surprise longtime news watchers; polls have shown that religion isn't very important to the average journalist. Robert Lichter's and Stanley Rothman's 1980 survey, included in their book *The Media Elite*, found that

86 percent of reporters seldom or never attend religious services, while 50 percent listed no religious affiliation whatever.

On the other hand, the lack of religion coverage on the news *should* surprise. After all, these are the same networks that conduct focus groups to sniff out every interest and predilection among the American public to gain even the smallest edge over their competitors in viewership. Yet, in a country where more people worship at church or synagogue every week than will fill major league baseball parks all season, TV news cameras don't focus on matters of faith.

The MRC study of evening, morning, and magazine news broadcasts found a paucity of religion coverage and an overt pattern of advocacy against traditional values and the people who hold them.

A character on ABC's *Homefront* asserted, "I have an equal affection for all religions: none."

In 1993, out of more than 18,000 evening news stories, only 212 dealt directly with religion. In 1994, the same five evening news programs (ABC's *World News Tonight*, the *CBS Evening News*, the *NBC Nightly News*, CNN's *World News*, and the *MacNeil-Lehrer NewsHour* on PBS) reported only 225 stories, a slight increase of 6 percent.

Despite two full hours daily for news and interviews, and a total of 23,000 segments broadcast in 1993, the network morning shows presented only 197 religion segments. ABC's *Good Morning America*, *CBS This Morning*, and NBC's *Today* aired even more segments in 1994—26,000—with even less coverage of religion. Only 151 segments made it to broadcast in 1994, a 25 percent decrease from 1993.

Even with nine hourlong magazine shows on the airwaves every week, religion garnered only 18 segments in 1993, declining to 9 segments in 1994.

For both years, more than half of the coverage, much of it negative, was devoted to the

Television and Religion

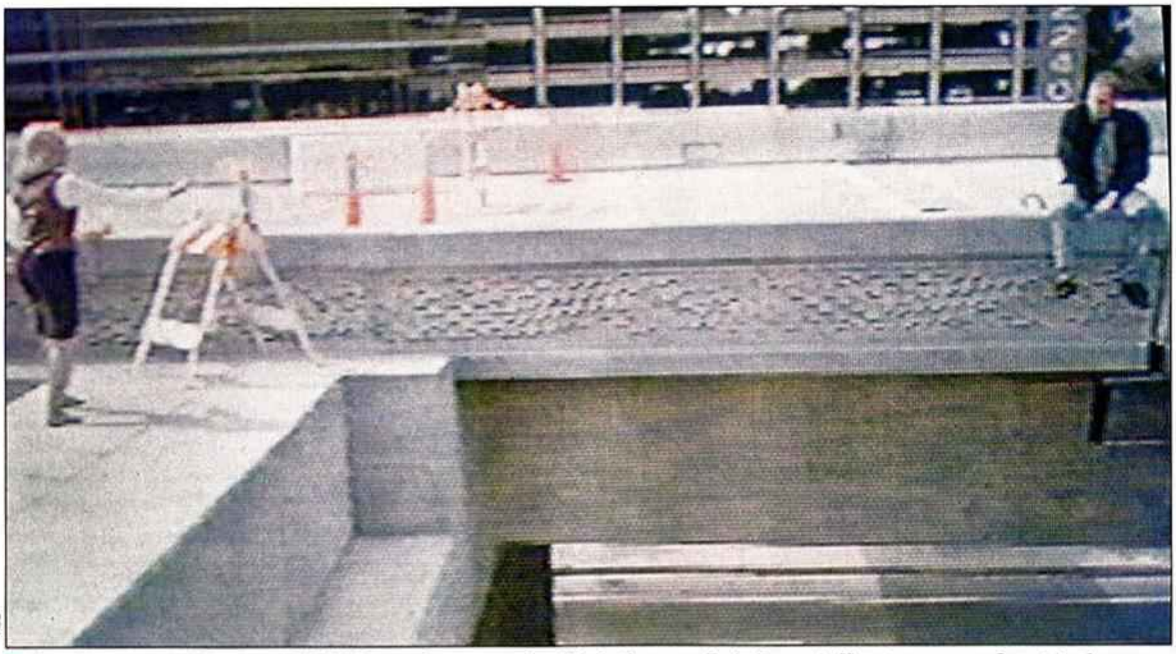
- Until about 20 years ago, most prime-time portrayals of faith were positive.
- In the 1970s, TV adopted an increasingly antireligious tone.

Prime-time entertainment programs

- In 1993, there were 116 "treatments" of religion. In 1994, there were 253.
- In 1993, 42 percent of all religious portrayals were negative, while 28 percent were positive. In 1994, positive depictions led negative by 44 percent to 23 percent.

News programs

- In 1993, out of more than 18,000 evening news stories, only 212 dealt directly with religion. In 1994, there were only 225.
- The network morning shows presented only 197 religion segments out of a total of 23,000 segments broadcast in 1993. In 1994, there were 26,000 segments, with 151 devoted to religion.
- Nine hourlong news magazine shows every week gave only 18 segments to religion in 1993 and 9 in 1994.
- The coverage is overwhelmingly critical or hostile.


NBC

■ *Saving a suicide:* **Jane Halliday, a born-again Christian on *L.A. Law*, talks to a man about to jump from a building. She shared her faith and he relented.**

Catholic Church. Nonsectarian religious issues such as school prayer and church-state relations came in as the second-largest topic.

Many of the Protestant denominations, some with millions of adherents, fell below the media radar screen. Baptists and Presbyterians were featured as the subject of just one or two stories each year. In 1994, more network time was devoted to New Age spirituality than to various Protestant denominations.

Assailing the religious Right

The tone of coverage was often harsh and cynical. The media often saw the seeds of recent headline-grabbing crimes planted and watered by religion. For example, on March 12, 1993, two days after the murder of Florida abortion provider Dr. David Gunn, CBS anchor Bob Schieffer said, "We've all noticed there has been a link between crime and religion."

A colleague at CBS, reporter Bob Faw, linked the Gunn killing to the Waco standoff and the World Trade Center bombing: "The question, of course, is how the message of love gets twisted into a message of hate and why those who say they seek goodness end up doing evil? . . . The answers they're given near Waco, in a Jersey City mosque, or on the antiabortion picket lines are absolute. The grievances they feel are profound. And if a skilled manipulator can convince them they're special, the inference is that everyone else isn't."

Reporters like to tout their support for diversity, but one group that's not tolerated is the Christian Right. Often the latter's members are seen as a nefarious force with a viruslike aim of infiltrating and gaining control of institutions.

The *CBS Evening News* promoted an upcoming story on religious conservatives in the Texas Republican Party on June 12, 1994: "Dolly Madison McKenna is a moderate Republican, but . . . she feels like a stranger in her own party. Far-right conservatives want to stall her candidacy, so ask yourself this: Can a

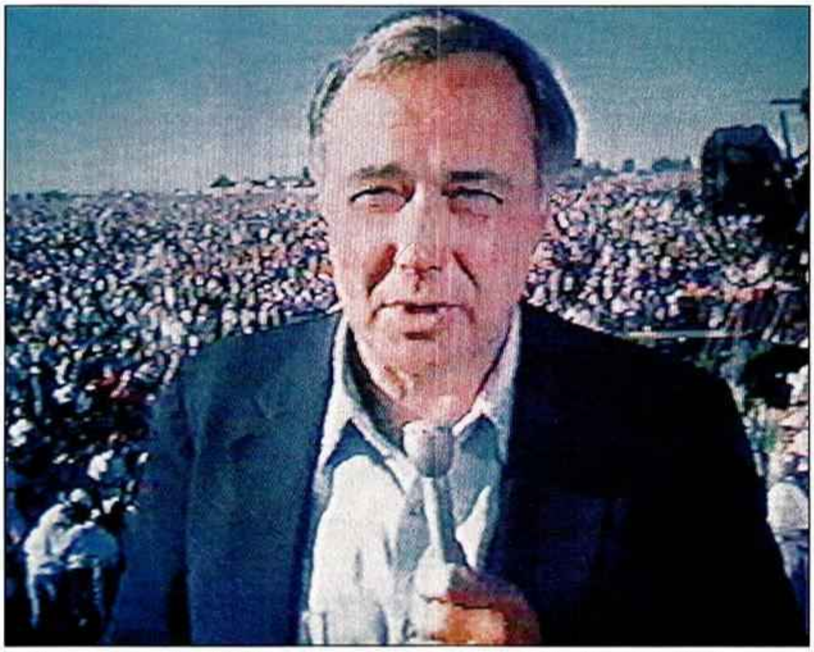
middle-of-the-road Republican make it in today's GOP?" That story, which aired the next night, featured one man calling religious conservatives "more dangerous than the threat of communism."

Today show cohost Bryant Gumbel came at Jack Kemp after the November 1994 election with: "The so-called Christian Coalition . . . is claiming a great deal of credit for GOP victories across the board. Are you not at all concerned about where their brand of, some would say, extremism or intolerance may yet try to take your party?"

Another way religion is scorned on TV is when reporters portray conservative religious figures as out of touch with modern reality. CNN anchor Susan Rook reported when Pope John Paul II came to America in 1993: "More than ever, [Catholics] are challenging the church's teachings on issues like abortion, birth control, and premarital sex. . . . An increasing number believe the church is out of touch with modern life."

During the pope's visit, the 14 morning and evening reporter-narrated stories included 57 sound bites challenging the "theological rigidity" of the pontiff, while only 27 defended him. This is not to say there cannot be criticism, but a two-to-one negative-to-positive ratio is not objective journalism.

In an August 8, 1993, *Sunday Morning* piece on the pope's visit, CBS's Jerry Bowen lined up



CBS

■ ***Catholic basher?* When Pope John Paul II visited the United States in 1993, Jerry Bowen's report on CBS focused almost entirely on critics of church policy.**

13 sound bites of dissenters to 2 tepid bites from supporters. Of the hundreds of thousands of youths who came to Denver to see the pope, Bowen found room in his report only for youthful critics of church policy.

The next week, Bowen's report from Denver gave the pope a backhanded insult: "There are some who say that he would have been more comfortable in the fifth century. But some theologians say that, really, some of the fifth-century popes were more progressive than John Paul II."

Many observers, looking at the apparent antireligious bias in television news and the general dearth of religion treatments on TV, wonder what might be done to improve the situation.

Some say the solution may involve simple economics. By augmenting their religion coverage and changing its tone, the networks could lure back religious viewers who strayed because they were ignored or offended. Analysts say that not only would this be the right thing to do, but it would be good business as well. ■

Thomas Johnson is the senior writer for TV, etc., *the Media Research Center's newsletter covering the politics of the entertainment industry. Steve Kaminski is senior analyst for* MediaWatch, *the MRC's newsletter monitoring political bias in the news media.*

TABLE OF CONTENTS

DANCE

89 Dancing on Thin Ice
Scarlet Cheng
Despite concerns over the communist takeover of Hong Kong in 1997, Willy Tsao's pan-Asian company remains on the cutting edge of Modern Dance.

ART

96 The Resurrection of Caillebotte
Cynthia Grenier
For almost a century the millionaire Impressionist Gustave Caillebotte was known primarily as a benefactor and collector. Now a touring retrospective celebrates his artistic genius.

GALLERY

102 Larry Kanfer
Heartland Images
In his striking images, photographer Kanfer captures the abundant color, light, and texture in the often overlooked detail of the midwestern landscape.

FILM

110 Pagnol, the Molière of Provence
Elliott Stein
A touring film series celebrates the centenary of the birth of France's great auteur-director Marcel Pagnol.

MUSIC

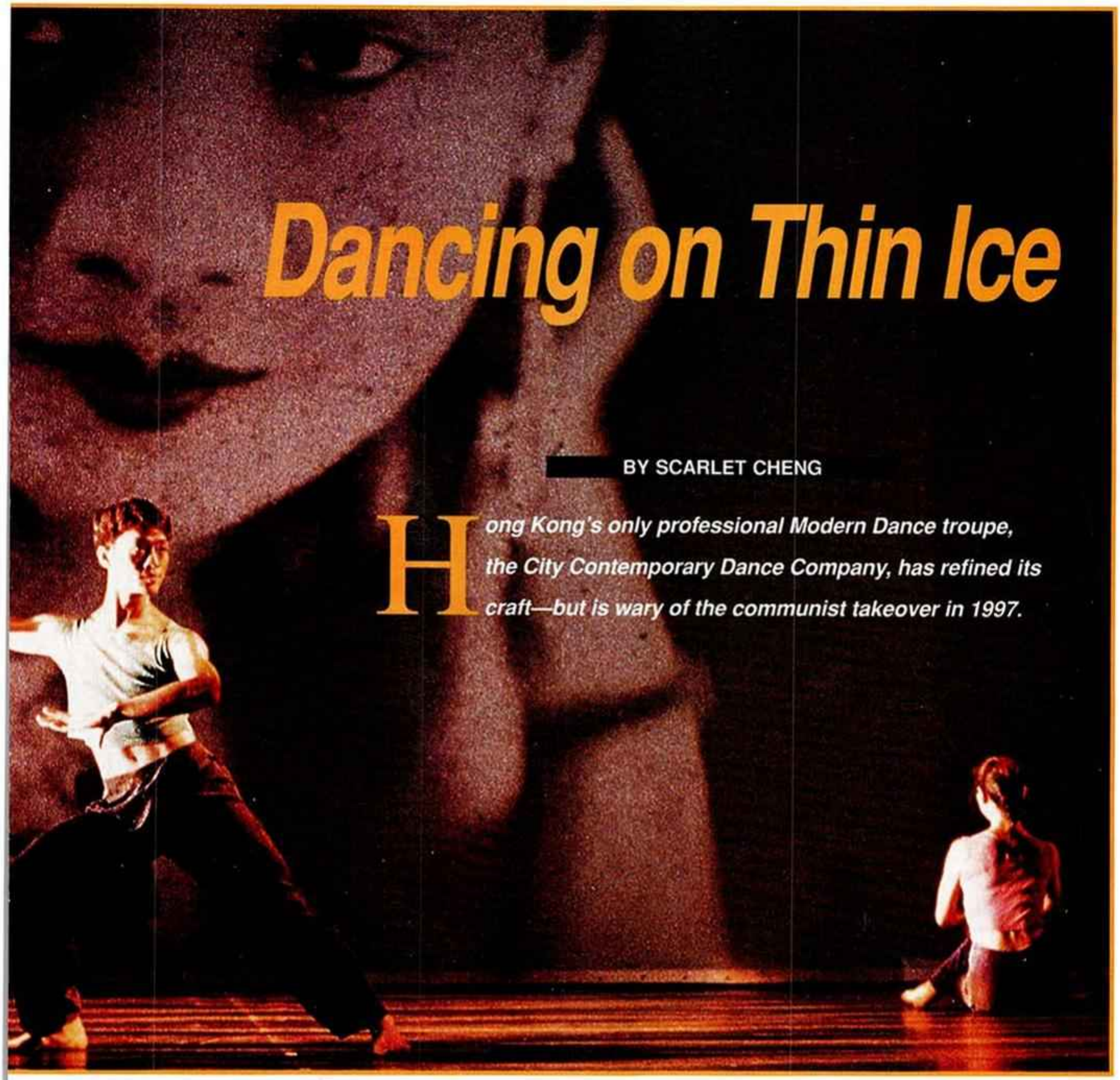
116 Mahler Meets the Corporate Elite
Melvyn Krauss
Amsterdam's Mahler Festival was an unforgettable banquet of music—but dedicated music lovers had to take the back seat to corporate sponsors.

RINGO CHAN / COURTESY OF THE CITY CONTEMPORARY DANCE COMPANY

Dancing on Thin Ice

BY SCARLET CHENG

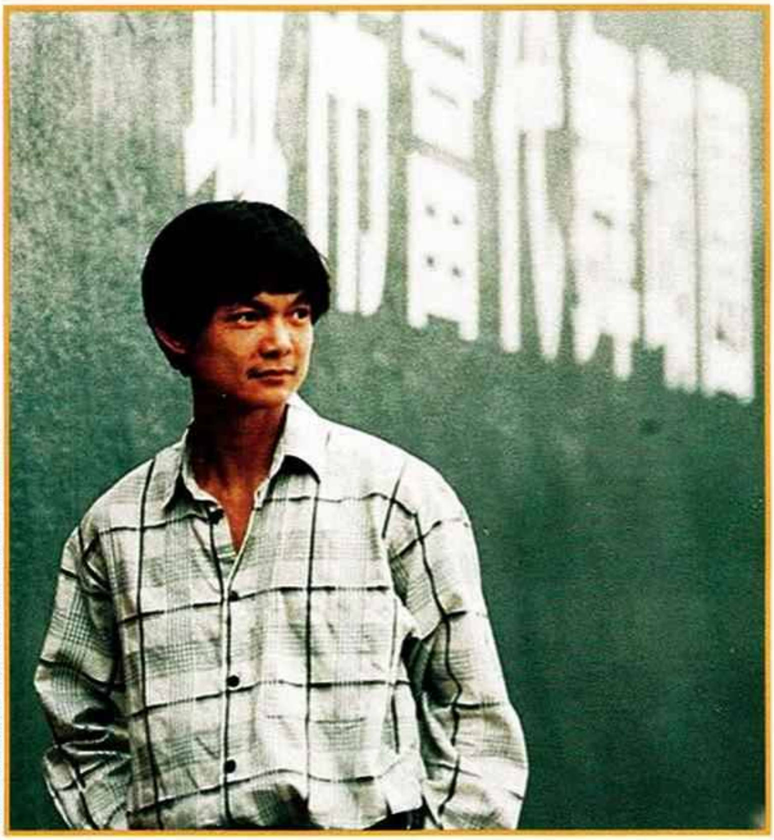
Hong Kong's only professional Modern Dance troupe, the City Contemporary Dance Company, has refined its craft—but is wary of the communist takeover in 1997.



The City Contemporary Dance Company production of *Folked Up,* a work by New York–based choreographer Sarah Skaggs, combines ethnic folk dance with a Modernist outlook.

"The body doesn't lie," says Willy Tsao, the energetic founder and creative force behind Hong Kong's City Contemporary Dance Company (CCDC). "If you have real emotion, it will come out strongest through the body."

Counter to the Chinese tradition of containing, even masking, one's deepest emotions, Tsao is all in favor of expressing them—through Modern Dance. "I'm always interested in dance that is more expressive in nature," he says. Even at thirty-nine, his boyish mop of hair, his large eyes, and his ready smile give him an air of impish energy. "Of course I like the beautiful form, like classical ballet or Chinese classical dance, but then it's always the strong emotional con-



WILLIE T. SAO / COURTESY OF THE CITY CONTEMPORARY DANCE COMPANY

The handwriting may be on the wall, as CCDC founder and artistic compass Willy Tsao ponders the cultural convergence coming to Hong Kong in 1997.

text that I'm drawn to."

With sixteen full-time dancers from countries throughout Asia, CCDC is the only professional Modern Dance company in Hong Kong. They maintain a breathless pace, giving some fifty performances a year at both major venues, such as City Hall and the Academy for Performing Arts, and smaller, experimental places. For their spring concert in February, they performed at the Fringe Club and featured new works choreographed by young company members. Of course, they have also toured throughout Asia, and last fall they even put in an appearance at New York's famous La Mama Theater.

It all started with a young boy of fourteen seeing a Western dance company for the first time.

"I remember very vividly the image of dancers wearing body tights, dancing on stage," recalls Tsao of that moment twenty-five years ago when the muse of dance came to him. "They were very energetic and expressive. They were stretching out their arms, and it was like an invitation. I felt it was my destiny, that I must go up there and join them."

Business and Dance

When it was time for college in 1973, Tsao went to the United States to attend Pacific Lutheran University in Washington State. Since his family had a large textile business back home, he dutifully majored in business administration. Meanwhile, he indulged his love for dance, taking as many dance courses as he could. He laughs when he says, "I spent more time dancing than studying business administration!"

He had hoped to continue his studies—particularly his dance studies—in New York after graduating in 1977, but his family asked him to return. Tsao did so, taking up the MBA program at Hong Kong University. But he made a pact with his mother: He would run the family business if he could also start a dance company.

In 1979, with seed money from his family, Tsao recruited eleven other dancers, and together they formed the City Contemporary Dance Company. He paid everyone, including himself, the same monthly salary of $130, and they trained and rehearsed on the leased rooftop space of a building in the Wong Tai Sin area of Kowloon.

Today the company boasts sixteen full-time professional

dancers, a support staff of two dozen, and the whole building. Their annual budget of $1.3 million comes half from government sources and half from a combination of box-office earnings, donations, and Tsao himself. Their performance schedule is an ambitious one, involving fifty performances a year, a little over half of them given at public schools. Public classes are also taught in the evenings and on weekends.

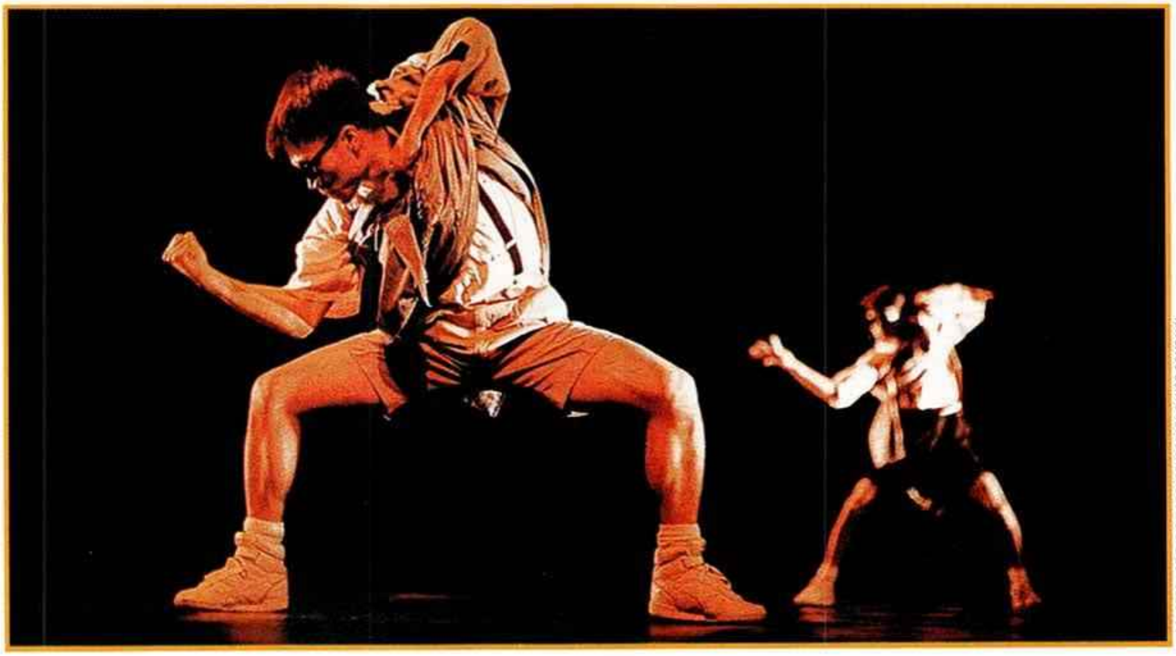
Lai's works are distinguished by a visionary imagination bordering on the avant-garde.

Most of CCDC's distinctive dance repertoire is created in-house, with several company members handling the choreography. Only Helen Lai, one of the original recruits in 1979, does choreography exclusively. Trained in ballet in Hong Kong, Lai continued her studies at the London School of Contemporary Dance. Upon her return, she worked as a choreographer, teacher, and assistant dance director for television station RTV. In 1979 she joined CCDC and served as its artistic director from 1985 to 1989. Today she choreographs full time, and her works have been presented by Cloud Gate Dance Theater (Taiwan), the Ballet Estudio (Mexico City), the Guangdong Dance School (China), and the Singapore Dance Theatre.

Lai's works are highly memorable, distinguished by a visionary imagination bordering on the avant-garde. With its funding, the company can afford to have elaborate sets not often seen in American Modern Dance, and Lai makes ample use of sets, costumes, special equipment, and multimedia. Furthermore, like other CCDC choreographers Lai seems to prefer a strong narrative line—her dances tell a story, peopled with characters caught up in an event or their environment.

For example, in *Rite of Spring* Lai replicates, in a highly stylized dance drama, the riot that broke out at the Théâtre des

■ **Siufai Pun danced the principal role in the CCDC production of his *Somewhere or Nowhere.***



COURTESY OF THE CITY CONTEMPORARY DANCE COMPANY

SCARLET CHENG

■ CCDC choreographer Yuri Ng goes through the paces with Jade Lam and Huang Qizhen.

Champs Elysées in Paris in 1913 when Igor Stravinsky's revolutionary composition *Rite of Spring* premiered. Stravinsky's piece was an expression of the chaos of primitive impulses—or perhaps modern life itself. Its avant-garde music and choreography so upset the audience that they began to shout, throw things, and brawl.

Last year in the CCDC version of *Rite of Spring* performed at the city hall concert hall, Lai had dancers dressed in elegant tuxedos and beautiful gowns sit in the private boxes on either side of the main stage, representing the bourgeois spectators at the 1913 premiere. As the music reached its crescendo, they began to rise, to point in fury and wave their hands in protest, eventually running down on stage, where they reseated themselves in an elevated balcony facing the audience. Eventually, these once prim and proper paragons of society went berserk.

The focus of Lai's work is on audience reaction, on how a revolutionary piece of art can stir outrage and violence in those not yet ready for it. Yet, art grows with breakthroughs: We now know that *Rite of Spring* was historical; it expanded the parameters of Western music.

On a somewhat more abstract note, Lai's *Quartet for the End of Time* refers to some distant future where society has collapsed and people find themselves adrift in chaos. In a beautiful, dreamy opening, dancers are suspended by cords from above and twist in space—some singly, some in pairs—as they are slowly lowered to stage. From this almost pure state of being they land and find themselves caught in the tumult and grief of social breakdown.

The piece ends quietly, with video monitors being lowered from above. Each monitor shows a close-up of an individual dancer's face. In this simple gesture, the dance becomes personalized, no longer a stage across which anonymous torsos move. It is a touching and strangely elegiac moment that seems to heal the violence that preceded it.

Lai is coming to a time when her works are very complicated, according to Tsao. "She's very concerned with the theatricality of dance, using different props."

Accent on Asia

Of the nine women and seven men dancers in the company, many hail from abroad—four from the People's Republic of China, three from Malaysia, two from the Philippines, and one from Taiwan. Gaining a position is not easy, because of heavy competition, but once selected, dancers have the security of annual contracts, and those from abroad get modest housing in the upper stories of the CCDC building. The dancers are mostly in their twenties.

Hong Kong–born Abby Chan, twenty-seven, is one of the company's most promising artists. Tall and lithe, she moves

with natural elegance and quickly picks up new dance vocabularies.

Chan went through the four-year Bachelor of Fine Arts program at the Hong Kong Academy for Performing Arts, then auditioned for a place in CCDC. Her interest had always been in contemporary dance, she says, and "for me, CCDC was the only way I could continue dancing." (There are two other professional dance companies in Hong Kong, but the Hong Kong Ballet specializes in classical ballet and the Hong Kong Dance Company focuses on ethnic dance.)

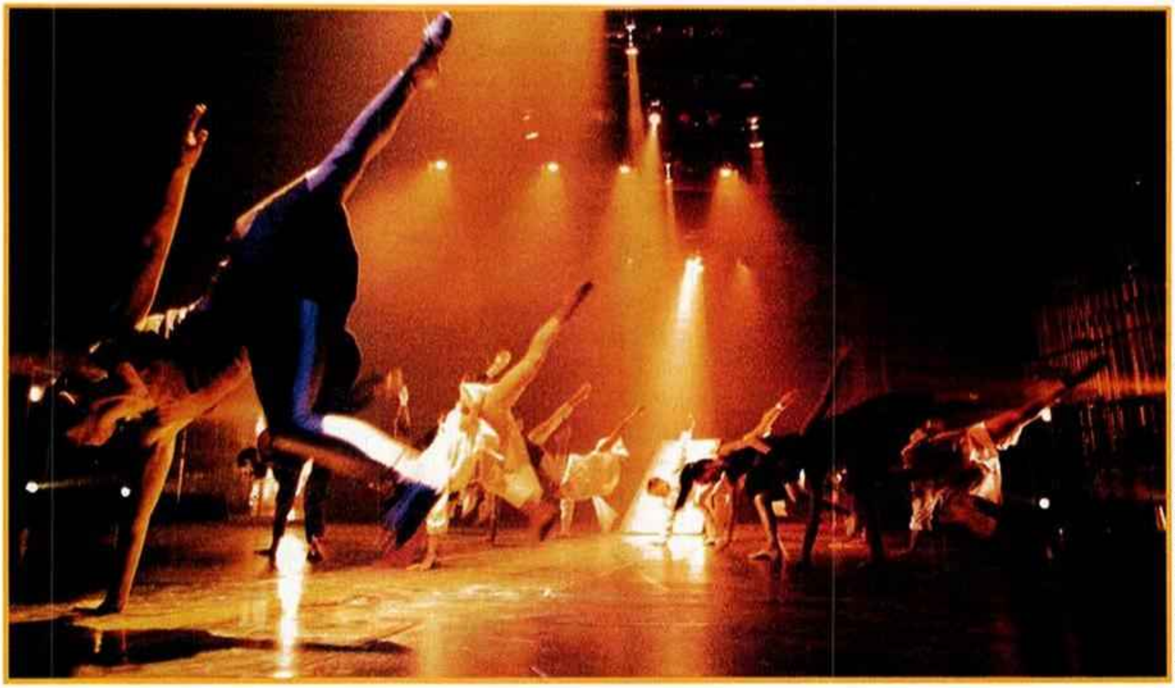
Why did she choose to pursue this demanding career? "I feel creativity gives me the strength to live," Chan says simply. "I get energy from dancing."

"I feel creativity gives me the strength to live," Chan says simply.

Last year Muna Tseng, a New York choreographer who had a residency at the company, gave Chan a lead role in her opus *The Pink*. After the work premiered in May at the Hong Kong Arts Centre, some of the dancers were invited to the United States for its New York premiere at La Mama in September. There Chan had a chance to meet American dancers who, unlike the CCDC dancers with their yearly contracts, were hired for short-term projects and often held other jobs to supplement their income. "Life is quite hard for them," she acknowledges, "but also quite exciting." As part of her development, Chan has started creating new choreographies, and she is eager to have a chance to study abroad herself.

As is true for many in the arts, sojourns abroad can broaden experiences and deepen sensibilities. Choreographer and administrator Siufai Pun, thirty-five, who joined CCDC in 1985, took

■ Siufai Pun's *Notes from a Schizophrenic City* dramatizes public uncertainty over Hong Kong's future.



COURTESY OF THE CITY CONTEMPORARY DANCE COMPANY

SCARLET CHENG

■ **The City Contemporary Dance Company, located on a bustling thoroughfare in the Kowloon section of Hong Kong.**

several years off to study and perform in the United States, including a semester at the Juilliard School, before returning to Hong Kong.

With his international perspective, Pun sees the tendency toward narrative in the company's repertoire. "It's quite Asian in a way," he says. "Most Asian choreographers start with something—a story, a feeling. They want to express their hopes, their wishes." There is a fundamental difference in movement between East and West, too, but it is difficult for him—or Willy Tsao or Abby Chan, for that matter—to articulate it.

Tsao recognizes the need for the company to improve and to grow, in terms of both technique and repertoire. To this end, every year CCDC invites choreographers from abroad for guest residencies of a month to several months, during which time they conduct classes and work on original choreography. Last year Tseng and Sarah Skaggs, both from New York, were invited during different periods.

Tseng, who is Hong Kong–born but North American–trained, had a chance to refine her ongoing opus *The Pink,* which is loosely based on the erotic Chinese classic *The Golden Lotus.* Skaggs elaborated on the segments that make up her work *Folked Up,* which combines movements from ethnic folk dances and her own singular modernist vocabulary. Last August, *Folked Up* was presented as part of CCDC's impressive fifteenth-anniversary celebration, Six Dance Brocade.

While there are certainly frustrations involved in trying to teach new and individualistic dance vocabularies in a short period of time, both Tseng and Skaggs were impressed by the dancers' hard work.

Since the founding of CCDC, Modern Dance has become an organic part of Hong Kong's cultural scene. Ad hoc local dance groups put on performances throughout the year, and Modern Dance from abroad is brought in regularly by both the Hong Kong Arts Festival and the Fringe Festival. Other international artists

put Hong Kong on their Asian tour schedules. Last year, for example, Hong Kong was visited by ISO and Molissa Fenley from the United States and O Vertigo Danse and Margie Gillis from Canada.

While CCDC has had a remarkable run, it is not at all certain what will happen in 1997, when Hong Kong is returned to mainland China. Pun, for one, says sadly, "I cannot expect a full artistic life after 1997." He points out that the new government may not want to encourage a local identity, which, he feels, is important to explore as an artist. Last year his *Notes from a Schizophrenic City* addressed the very issue of Hong Kong's upcoming change. "There's a lot of uncertainty," he says. "We don't know where we're going. It's almost as if you've got only two more years to live."

Suppressive Outlook

In the future, works of an overtly political nature may be suppressed. Such works as *A Letter to Aung San Suu Kyi,* Tsao's eulogy to the defiant spirit of the Myanmarese woman who continues to protest the totalitarian regime in her country, may be difficult to stage.

In the meantime, the City Contemporary Dance Company continues its snappy and irrepressible pace, exploring topics that alternately delight the senses and question the status quo.

For a long time the Chinese resisted Modern Dance because they felt that it, like Modern Art, was Western and decadent. But, as Tsao says, "good Modern Dance doesn't just have to be Western. It's really international." ■

Scarlet Cheng, contributing editor to Asian Art News, *writes frequently on film, performance, and the arts.*

RINGO CHAN / COURTESY OF THE CITY CONTEMPORARY DANCE COMPANY

■ **Abby Chan in the CCDC production of Mui Cheuk Yin's *Stories about Certain Women.***

The Resurrection of Caillebotte

BY CYNTHIA GRENIER

For almost a century the millionaire Impressionist Gustave Caillebotte was remembered primarily as a great benefactor and collector. Now a touring retrospective celebrates his artistic genius.

In an age that produced a host of remarkable men, Gustave Caillebotte was one of the most unusual. Trained as a lawyer, he was a talented naval architect, an accomplished competitive sailor, a world-class philatelist, and a devoted horticulturist. He was also a pivotal figure in the rise of French Impressionism: As a benefactor, collector, and—not least—painter he helped foment what in time became the world's most beloved art movement, playing no small part in solidifying its place in the annals of art.

Throughout most of this century, Caillebotte—a millionaire—has been known mainly as one of the great benefactors and collectors of Impressionism. In what now would be called management and marketing, he was an indispensable asset to the movement, haggling and negotiating to keep the group together through periods of fractious disagreement, organizing exhibitions and personally renting exhibition spaces, paying for publicity and for picture frames, even hanging the works for exhibitions. With a discerning eye he also bought paintings from his needy colleagues and finally bequeathed his collection—which included some of the greatest masterpieces of Impressionism—to the French nation, taking care to ensure its ultimate placement in an important museum.

But surprisingly, although Caillebotte's own paintings were included in five of the seven original Impressionist exhibitions and attracted considerable praise from critics of the time, he remained almost unknown to the general public as a painter until the 1970s. Now, in honor of the centennial of his death at the age of forty-five, the first major touring retrospective ever devoted to Caillebotte is traveling internationally. *Gustave Caillebotte: Urban Impressionist* opened last year at the Grand Palais in Paris, went on to the Art Institute of Chicago, and is currently at the Los Angeles County Museum of Art through September 10. On display are 117 of his finest works—89 paintings and 28 works on paper.

Caillebotte was born in August 1848 into an extremely

ALL PHOTOS COURTESY OF THE ART INSTITUTE OF CHICAGO

■ **Gustave Caillebotte (1848–1894), *Paris Street; Rainy Day*, 1877. Oil on canvas, 212.2 x 276.2 cm. The Art Institute of Chicago.**

wealthy bourgeois family that had made its money in the textile business. Little is known about his early life except that he studied law (although he never actually practiced it). At twenty-three he entered the studio of the academic painter Léon Bonnat, and he studied briefly as well at Paris' famed Ecole des Beaux Arts. Interestingly, although we see no trace of it in his work, he had previously fought in the Franco-Prussian War, witnessing the national humiliation of his country as well as the French army's brutal repression of the Paris Commune in 1871.

His father died in 1875, when Caillebotte was only twenty-six, leaving him the substantial inheritance that allowed him the freedom not only to paint as he chose for the rest of his life, but to begin collecting the works of the emerging avant-garde—then variously derided as the "Intransigents" and the "Impressionists"—and become their champion. Auguste Renoir, Claude Monet, Camille Pissarro, Edouard Manet, Paul Cézanne, Alfred Sisley, Edgar Degas—he befriended them all and collected their works, and to a very large measure became their ever-dependable financial support (though not to Degas, who himself had independent means). It is reckoned that he parted with tens of thousands of francs in payment and financial support to his good friend Monet—a spectacular sum for the period.

Caillebotte was invited to show in the second annual Impressionist exhibition in 1876. Thereafter he helped to organize the exhibitions as well as show in them and became perhaps the group's most dedicated promoter and defender. Also in 1876, after the unexpected death of his younger brother René at the age of twenty-five, Caillebotte, then only twenty-eight himself, drew up a will leaving his already considerable collection of Impressionist works to the French peo-

ple—this at a time long before the official art world thought any of them worthy of museum space.

As mentioned previously, Caillebotte worked hard to defuse the internecine squabbles among the Impressionists, but eventually the escalating feuds took their toll and Caillebotte began to withdraw from the life of an artist. His growing disillusionment over the political and personality conflicts among his colleagues led first to his abstaining from the 1881 exhibition and finally to making the 1882 show his last. It was his final participation—as artist or impresario—in a Paris exhibition.

Ever an explorer and a man of diverse interests, he turned his attention to competitive boating, stamp collecting, and gardening, maintaining a close friendship with Monet and Renoir until his death from a stroke in February 1894. Although he never married, he left upon his early death a generous lifetime annuity as well as a small country house to a young woman, Charlotte Berthier. Some scholars believe she is the subject of one of his paintings in the current exhibit, *Nude on a Couch* (1882), showing the slim, graceful figure of a young reclining woman.

The reasons why Caillebotte was for so long the forgotten man of Impressionism are several. As a millionaire, he had no need to promote and sell his own works, although he was a tireless promoter of his fellow Impressionists. Most of his works remained in the hands of his family for decades after his death; thus they neither appeared in galleries and museums nor were reproduced in books and catalogs, the fodder of scholarship. Only in the 1950s did his descendants begin selling his works, bringing before astute observers the first glimmerings of a neglected genius.

In addition, his career as an artist was quite short, as it stretched only from 1875 to 1882. Although Caillebotte continued to paint after that date, many scholars feel his best work was behind him. At any rate, he ceased to exhibit his works and soon was forgotten by the younger genera-

■ ***The Pont de l'Europe*, 1876. Oil on canvas, 124.7 x 180.6 cm. Musée du Petit Palais, Geneva.**

tion of the French avant-garde.

A third reason why even to this day Caillebotte is not popularly ensconced in the pantheon of Impressionism is that his work is in some vital aspects very different from that of his colleagues. Many of his paintings appear more "finished" than those of other Impressionists: His crisp, precise handling of paint recalls his academic training, where individual brush strokes are deemphasized, blending to give precedence to forms and structure. His palette is generally cool, his depictions sometimes cold and detached. He was primarily attracted to urban landscapes in which the human figure played a central role. And he had a more solid sense of structure than did many of his colleagues, creating compositions of striking originality.

> It was only in the late 1960's and '70s that Caillebotte began to attract attention as an artist.

Slow Rebirth

The process through which Caillebotte the painter was resurrected in the public eye was slow and tortuous. A memorial exhibition of his works at the famed Galerie Durand-Ruel soon after his death attracted little attention, and the paintings were returned to his family and friends who loaned them, where they remained in obscurity for decades. A modest tribute at the Salon d'Automne in 1921 did little to stimulate public awareness. But in 1951, Marie Berhaut—a French scholar who during the prewar years had become interested in Caillebotte's work—helped mount an exhibition at Wildenstein's Galerie Beaux-Arts and prepared the catalog for that show. This brought the artist some exposure, though mostly only specialists were interested.

It was in the late 1960s and '70s that Caillebotte began to really attract attention as an artist again, when his special brand of realism—with its bold spatial arrangements suggesting the eye of a modern photographer or cinematographer—suddenly seemed startlingly contemporary and pertinent to the modern age. As Kirk Varnedoe, currently chief curator of painting and sculpture at the Museum of Modern Art in New York, notes in his introductory essay for the present show's catalog, this notice was taking place at a time when old categories of style and lists of "the greats" were being brought into question by a new generation of art historians. Caillebotte was an intriguing anomaly, an artist who appeared to combine both Impressionist and Academy elements. Varnedoe writes,

> When Caillebotte resurfaced in the 1970s, he seemed somewhat like a cultural coelacanth, an evolutionary misfit dredged from the depths of early modern art, whose unfamiliar hybrid features challenged existing views of the organization of the field. . . . His paintings did not show the brightly colored fields of broken brush strokes we had been taught were the essence of Impressionism; they had on the contrary a dry, tight facture that seemed to belong more with the regressive painters of the Salon, for whom we had cultivated a derisive contempt. Yet this artist and these images of contemporary life had inhabited the center of the Impressionist movement, and, in unsettling ways, both he and they seemed very, very interesting.

Moreover, as the main interest in Caillebotte's paintings is not so much innovative techniques as dramatically conceived subjects, the content of his paintings attracted the attention of budding contextualist art historians. His detailed depictions of Third Republic Paris encouraged closer examination of the social and historical conditions surrounding his art. During the 1980s and '90s the once-revolutionary contextualists have become the art establishment—leading curators, museum directors, and tenured professors. As Varnedoe notes, "context, meanwhile, has become hypostatized as a focus of concern, with the 'foregrounding' of what used to be thought of as background."

Varnedoe's essay in the *Gustave Caillebotte: Urban Impressionist* catalog is worth studying, for he compactly outlines not only the "death and resurrection" of Caillebotte's art, but also the ascension of contextualism during the past twenty-five years. And his essay culminates in a cogent warning against the determinist outlook inherent in contextualism and all expounders of "isms":

> With determinist ideas of context, as with essentialist notions of categories, our constant temptation is to invert the order of things, and reckon that individualities like Caillebotte's become meaningful when they are seen to conform to larger, more basic and potent elements of history—to "isms," or movements, or unfolding struggles between vast social forces. Yet . . . individualities and unique contingencies are not secondary epiphenomena of history, but rather its basic motor. This is nowhere more evident than in works of art, which endure to the degree that they do not fit exactly, but supersede the niches in which they were created and each of the shifting labels imposed on them.

Varnedoe himself played a central role in bringing Caillebotte to the public's attention, organizing in 1976 the first important U.S. exhibition of his work, at the Houston Museum of Fine Arts. About ten years later, Varnedoe developed his catalog for that show into a full-length book, published by Yale University Press. Since then, Caillebotte's paintings have figured prominently in a number of exhibitions on the Impressionists.

Capturing the feel of the new Paris created by Haussmann, Caillebotte also caught a sense of the future.

Artist of the Urban

Although Caillebotte did his share of paintings of typical Impressionist subjects (countrysides, flowers, rural scenes), what distinguished him among all his fellow Impressionists was his interest in depicting scenes of urban life. During the years of the Second Empire, the Paris that we know today was largely created by Baron Haussmann, who demolished whole areas of the city—cramped, narrow, dark streets and by-ways that had existed since medieval times—and replaced them with great, long avenues lined by eight-story pale stone buildings with trees planted along sidewalks. Open vistas extending for miles were the hallmark of this new Paris, and Caillebotte was the first artist to celebrate them.

Caillebotte made the daily life of Paris in the Third Republic his favorite subject matter. The work for which he was best known for decades is *Floor-Scrapers* (1875), showing three day-laborers, stripped to the waist, on hands and knees scraping varnish from the floor of a luxurious apartment. In 1875 Caillebotte submitted this large (almost three by five feet) canvas to the jury for the official Salon, which promptly rejected it. The jury turned down the painting not because of its technique or drawing but rather because of its subject matter. Common working men performing their daily task was simply not something that "acceptable" artists of the day portrayed and was certainly not something to be shown to the elegant bourgeois crowds that frequented the Salon.

When Caillebotte was invited to take part in the Impressionist's second exhibition the following spring, *Floor-Scrapers* was among the eight works he showed. Even in this setting the painting caused quite an uproar. The "vulgarity" of the subject matter offended many, as did that of Degas's *Washerwomen*, shown in the same exhibit—"the celebration," as Varnedoe put it in his seminal 1987 work on Caillebotte, "of the urban worker was taken as a debasement of art, and, possibly as a leftist statement." (There is nothing in the lives of either Caillebotte or Degas, incidentally, to indicate that they chose their subjects out

of any political inclination.)

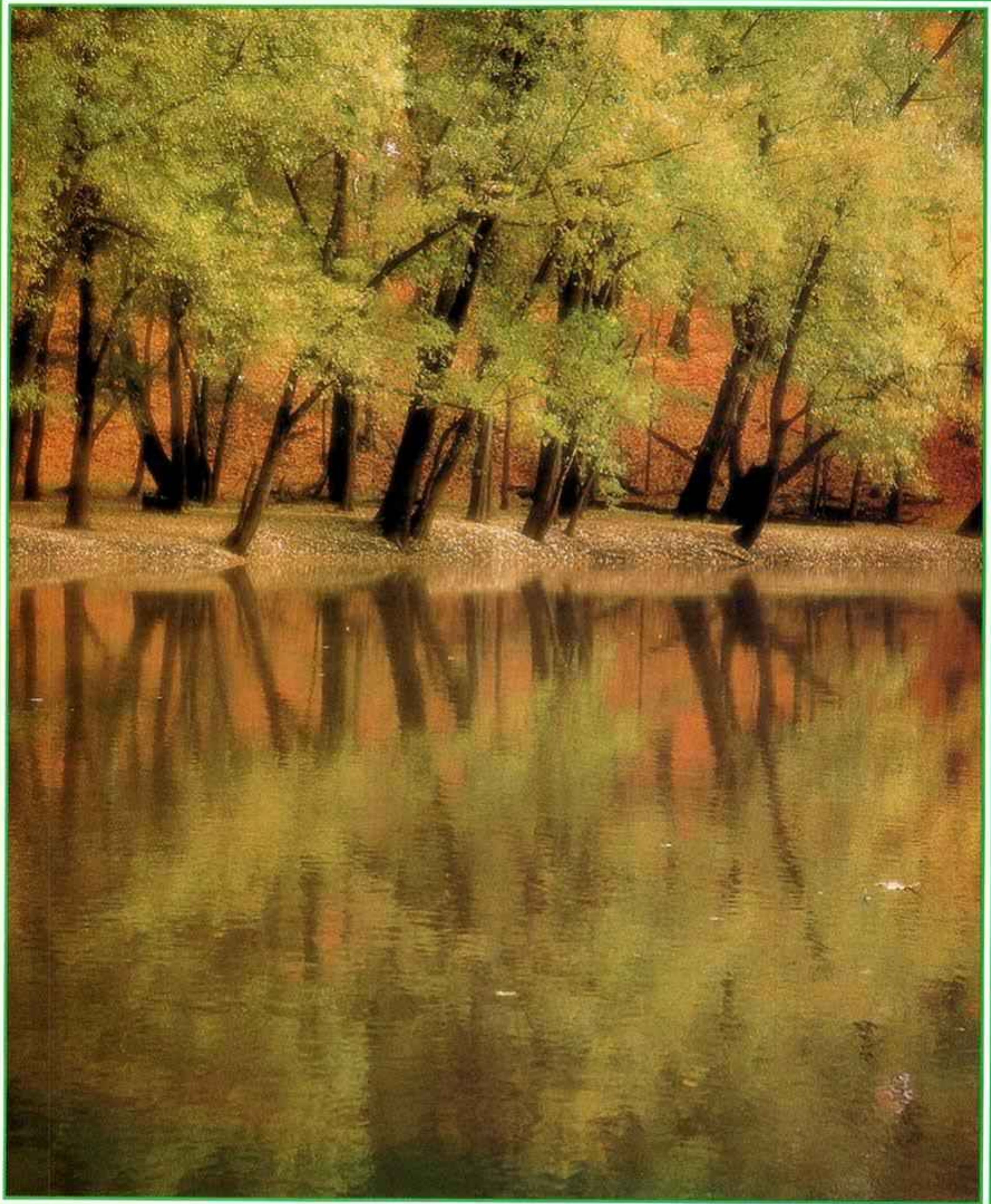
The work that Caillebotte is perhaps best known for these days is *Paris Street; Rainy Day* (1877), one of the first of his works to be acquired by an American museum. In 1964, the Art Institute of Chicago put its new acquisition on exhibit, and it soon became immensely popular, appearing on reproductions, cards, sweatshirts, and—appropriately—an umbrella produced for the museum's gift shop. The masterpiece also brought the artist to the attention of curators and art historians such as Varnedoe.

When the work was first shown in the 1877 Impressionist exhibition, it gained the artist critical appreciation for its "science of design, and arrangement." Preparatory drawings and oil sketches on canvas, shown in the present exhibition, reveal the exacting process of the final painting's creation. The oil studies are done with the sketchy brush strokes we characterize as the hallmark of Impressionism, but in his final version Caillebotte chose to go for clarity. This demonstrates how strong the ties to his academic training still were, but it also shows his originality: Taking an everyday subject, he makes it a study of the interplay between sections of contrasting tonal values, using all these in a revolutionary asymmetrical composition to create a distinct mood.

What is almost eerie about so many of Caillebotte's urban Paris scenes is how contemporary they appear to us now. Caillebotte and his brother lived for many years on a top floor in a new apartment house on Boulevard Haussmann, directly across from what is now the famous Galeries Lafayette department store. Today, the building houses a branch of the Société Générale, a French bank, and a post office, but the exterior is much the same as when Caillebotte lived and painted there. A number of the views painted from the balcony of that building show an instantly recognizable Paris—only the garb of its citizens has changed. In this way, capturing the feel of the new Paris created by Haussmann, Caillebotte also caught something of the sense of the future, something of the loneliness, the isolation, the alienation of life in a big urban capital. Thus he simultaneously reflected and transcended the context of his times, creating a bridge to the future. ■

■ ***Floor-Scrapers*, 1875. Oil on canvas, 102 x 146 cm. Musée d'Orsay, Paris.**

Cynthia Grenier is senior contributing editor to the Arts section of THE WORLD & I.



ALL PHOTOS COURTESY OF LARRY KANFER GALLERY LTD.

Larry Kanfer (b. 1956), *River Reflections,* 1983, autumn morning at the Sangamon River on the Allerton Estate, Monticello, Illinois.

Larry Kanfer

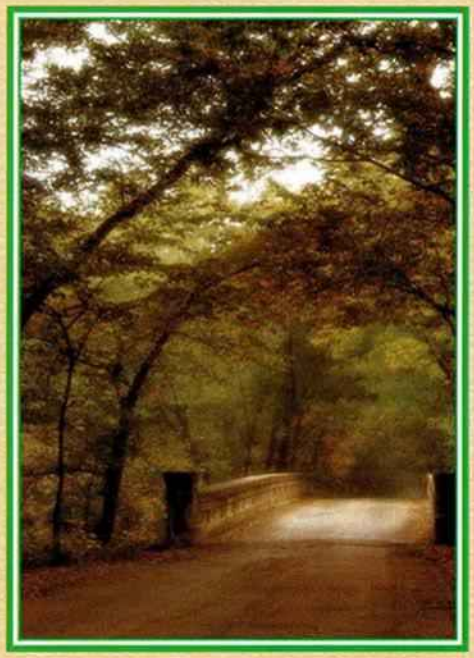
Heartland Images

Whether photographing the rich earthiness of America's heartland or capturing the sandy seclusion of a Long Island beach, Larry Kanfer's work is at the same time elegant and uplifting. His compelling images speak from the heart, while paying strict attention to the subtle artistic qualities inherent in overlooked landscapes.

"When photographing the Midwest, I rely on the colors, textures, lines, seasons, and moods that make the region special," says Kanfer. "I choose strong elements that evoke an immediate response." Indeed, the photographer's work resonates in his keen attention to details that comprise the unfolding drama of Midwest farmland: a rich golden sky at dawn; the weathered look of a delapidated barn; the vibrant hues of glorious autumnal foliage.

"Many times when I recall the process of photographing a particular image, I realize that the meaning of the photograph has changed with the passing of time," Kanfer notes. "Obviously, the image itself has not changed, but my perception has been altered to allow for a varying interpretation of the landscape.

"The longer I study the intricacies of the prairie landscape, the more I appreciate the work of painters and sculptors who strive to interpret those same subtle nuances in the macroenvironment. Our tools may be different, but our interpretations can be similar."

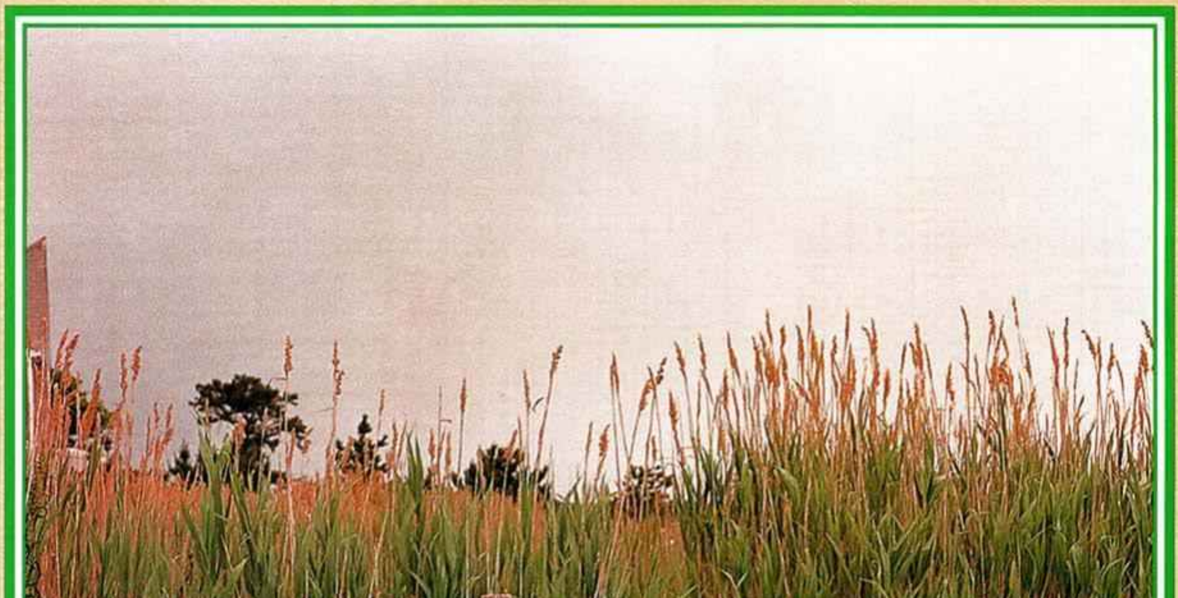


■ *Allerton,* **1982, early morning in late summer at estate entrance, Monticello, Illinois.**

Born in St. Louis, Kanfer spent his childhood in Portland, Oregon, fascinated by the rugged visual contrasts in the Northwest's landscape. On a cross-country rail trip to New York, young Kanfer became intrigued by the endless beauty of America's heartland. When his family moved back to the Midwest in 1973, Kanfer began to explore in depth the prairie's rich traditions and seasonal cycles. After receiving his architecture degree from the University of Illinois at Urbana-Champaign in 1979, Kanfer began a professional career in photography that has focused on his unique perspective on midwestern lifestyles and landscapes.

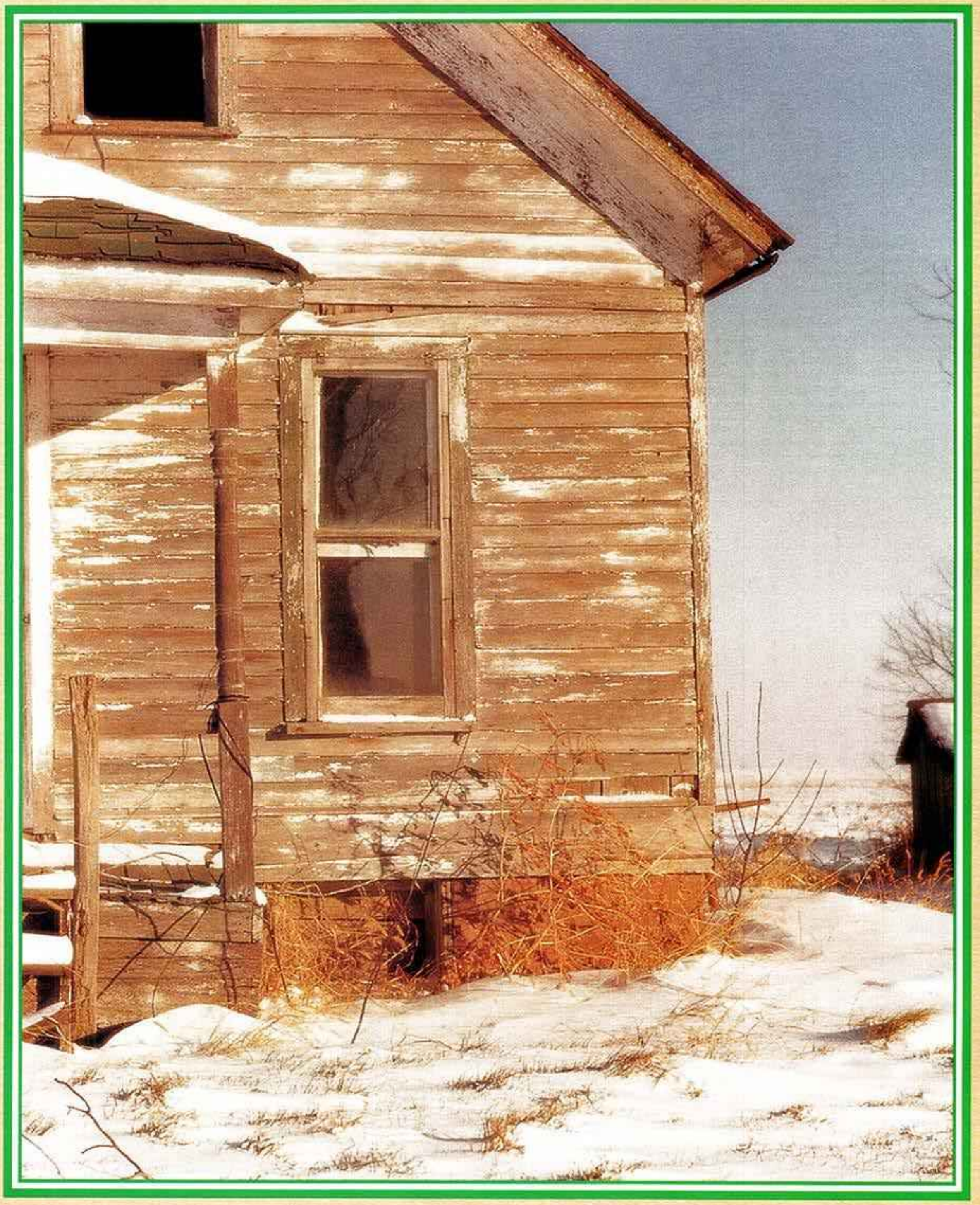
Widely regarded as one of the finest photographic artists in the Midwest, Kanfer has exhibited his work at museums and galleries nationwide. His work has been published in three books: *On Second Glance* and *Prairiescapes* (both from the University of Illinois Press) and *On This Island* (Viking Studio Books). His work can be seen at the Larry Kanfer Gallery, Champaign, Illinois, and at the Illinois Artisan Gallery, State of Illinois Center, Chicago. The photographer's new images can also be viewed on the Internet.

—The Editor



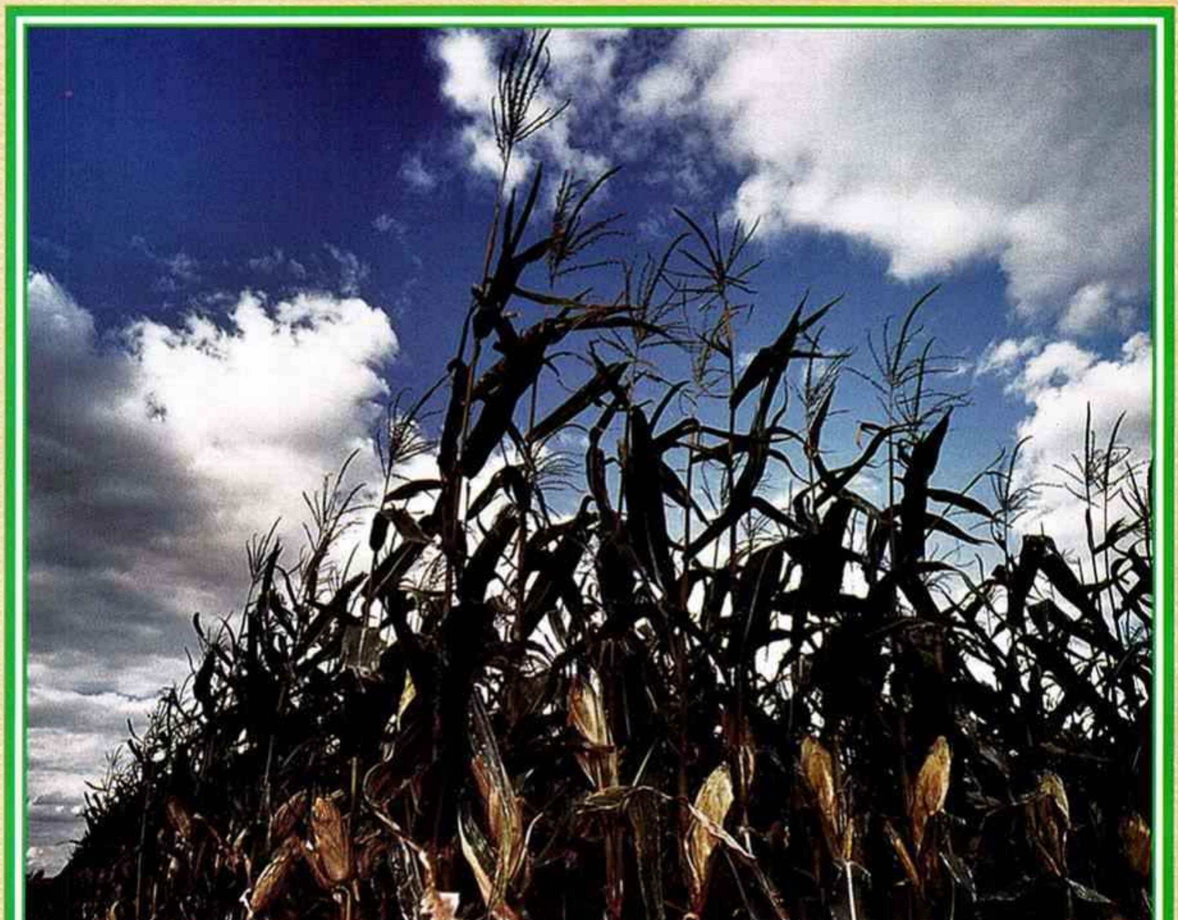
Empty Nest, 1988, Moneybogue Bay, Long Island, New York.

Afterthoughts, **1992, Boyer Farm, Murdock, Illinois.**

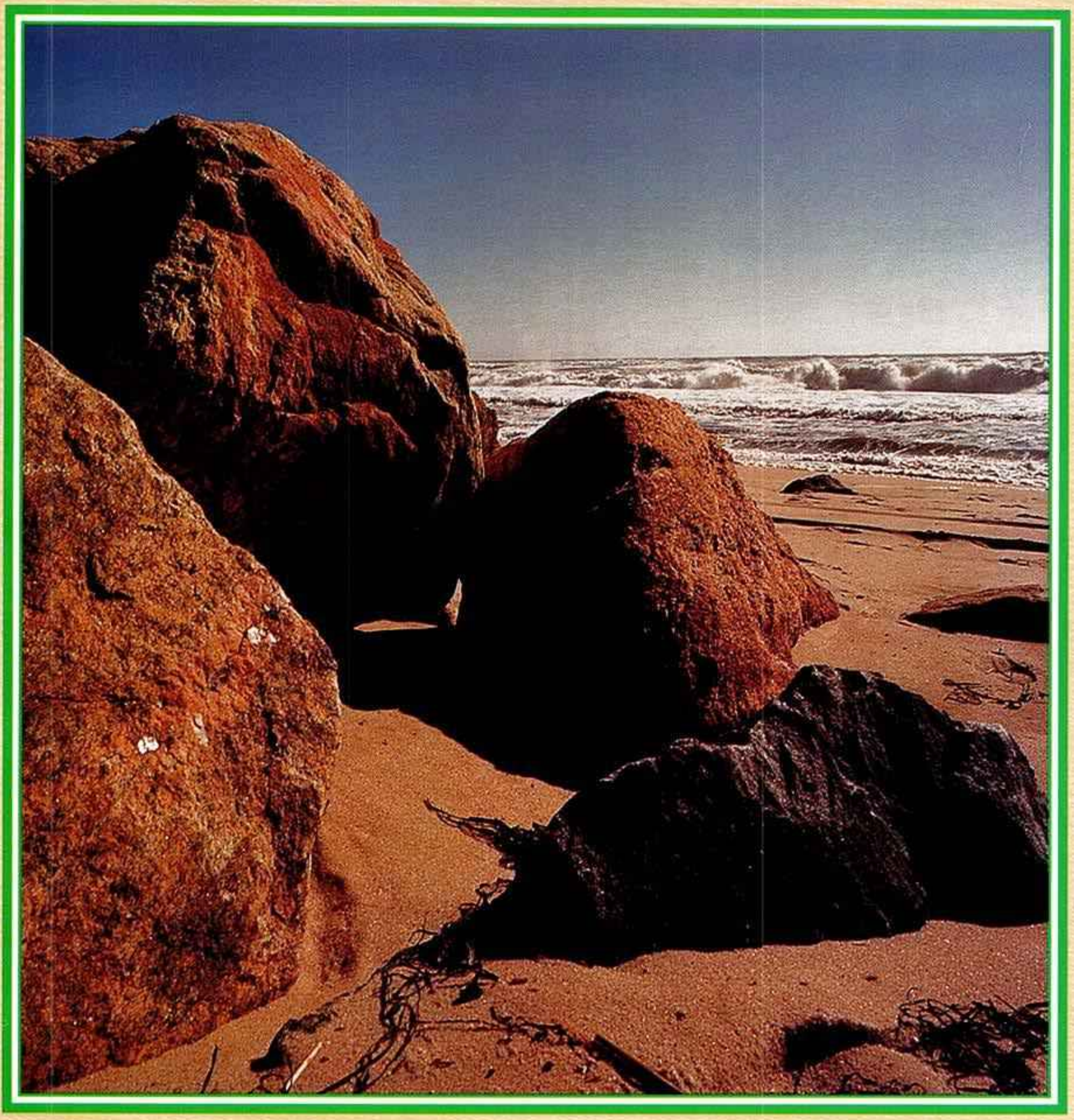


Prairie House, 1982, winter morning west of Champaign, Illinois.

■ *Better Times,* 1990, Douglas County, Illinois.



Skyscrapers, 1985, summer evening near Rising, Illinois.



South Shore Seascape, **1988, near Southampton, Long Island, New York.**

Pagnol, the Molière of Provence

BY ELLIOTT STEIN

A touring retrospective celebrates the centenary of the birth of France's great auteur-director Marcel Pagnol.

After playing to full houses in New York, the Museum of Modern Art's Marcel Pagnol series, feting the centenary of the French filmmaker's birth, has traveled to six other American cities and will tour Europe through the summer of 1996. This renowned director's most celebrated works have always been held in high esteem by American audiences, but with this series cinephiles are also being given a chance to enjoy a number of rare Pagnol films previously unseen in these parts.

Pagnol was France's greatest regionalist filmmaker. His name is virtually synonymous with the southern port city of Marseille and the nearby countryside of Provence, which provided him with his cultural roots, the setting for all his best work, and the remarkable repertory company of Provençal actors he assembled who appear together in film after film.

The director was born in the small town of Aubagne, near Marseille, in February 1895. His first vocation was teaching; in 1922 he was assigned to a school in Paris. He soon took up playwriting, and after a few misfires, success came with his pungent satire *Topaze*, the biggest hit of the 1928 Paris theater season. It was followed in 1929 by *Marius*, a free-wheeling portrait of life in Marseille. Before long the schoolmaster from the south was the most popular French dramatist of his generation.

In 1931 came the opening of another great success, *Fanny*, a stage sequel to *Marius*. That year also saw the production of the film version of *Marius*—the first part of what came to be known as "The Marseille Trilogy": *Marius* (1931), directed by Alexander Korda; *Fanny* (1932), directed by Marc Allegret; and *César* (1936), written directly for the screen by Pagnol as an original screenplay and directed by the author himself.

Pagnol can be considered the *auteur* of the entire trilogy—he wrote and produced the films and also chose the actors, most of whom had created the roles on stage. He quickly picked up the rudiments of film technique by working closely with Korda on the set. The trilogy's principal locale is a waterfront café owned by the gruff but tender-hearted César. It tells the story of César's son Marius, who loves his fiancée Fanny but not as much as he

ALL PHOTOS COURTESY OF INTERAMA INC.

Ginette Leclerc and the incomparable Raimu in Marcel Pagnol's 1938 classic ***The Baker's Wife.***

loves the sea. He follows the call of faraway journeys and is still abroad when Fanny discovers that she is pregnant by him. She marries Panisse, a widowed sailmaker who will provide for her child. Years later, after Panisse's death, Marius returns and the lovers are reunited.

This healthy-spirited celebration of the values of family and honor became a landmark in French cinema and spawned a number of foreign versions—German and Swedish remakes of *Marius*, German and Italian versions of *Fanny*. A Hollywood version, *Port of Seven Seas* (1938), boiled the story down to one feature-length picture. A Broadway musical adaptation of *Fanny* starred Ezio Pinza as César—it was filmed in Hollywood in 1961 by Joshua Logan with Charles Boyer and Maurice Chevalier. But the warmth, humanity, and joie de vivre of Pagnol's original trilogy, its earthy observation of the ordinary but lovable and believable people of Marseille, have never been equaled.

Its great theme is parental love—the bond between Panisse and his adopted son, and that between César and Marius. Fanny was portrayed by the haunting actress Orane Demazis, Marius by Pierre Fresnay (best known for his performance a few years later as the French officer in Jean Renoir's *Grand Illusion*). But the trilogy is dominated by the character of the cantankerous César, played by the unforgettable Jules Raimu (1883–1946), a vigorous force of nature who had begun his career in the music halls and "café concerts" of Marseille. His voice would be heard resounding with its lilt of

■ **Pierre Fresnay as Marius and the haunting Orane Demazis as Fanny in *Marius* (1931), the first installment in author Pagnol's Marseille Trilogy. *Marius* was directed by Alexander Korda, from whom Pagnol learned the rudiments of filmmaking.**

Mediterranean poetry in two later Pagnol films. His César is simply one of the finest performances in the history of cinema. Orson Welles called him "the greatest actor who ever lived." After Raimu's death, the English playwright J.B. Priestley wrote: "The French should erect a monument to the memory of this player, who reminded us that France had known a Rabelais, a Molière, a Balzac."

By the mid-1930s, the studio system in France was near ruin, crippled not only by the depression but by the mismanagement and corruption of the film companies. The road was left open for "independents." Pagnol used the profits from *Marius* and *Fanny* to set up his own studio in Marseille, where he could be his own boss and shoot his films in a near-artisanal family atmosphere, free from the tensions of Paris. He had his own labs—and theaters. No other French director enjoyed such freedom. His fruitful association with Jean Giono—the greatest living Provençal novelist—dates from this period. Both men imbued their work with the accents and textures of southern France, while investing their characters with primal, universal traits that transcend geography. Pagnol adapted four works by Giono for the screen: *Jofroi* (1934), *Angèle* (1934), *Harvest* (1937), and *The Baker's Wife* (1938).

Jofroi is a short film—a sort of ecological fable—of considerable charm. *Angèle* was a particular favorite of the young critics and directors of the postwar New Wave. At the 1987 César awards ceremony—the French equivalent of our Oscars—Jean-Luc Godard hailed it as "one of the most beautiful films ever made."

In *Angèle* Pagnol takes a basically melodramatic story of a fallen woman redeemed by love and makes it memorable through the restrained lyricism of his treatment of its backwoods Provençal setting. Paradoxically, when Pagnol entered films early in the sound era he held the art of cinema in relatively low regard—he considered the movies to be a form of "canned theater," mainly a medium capable of bringing his plays before a large public. With *Angèle*, however, the director abandoned theatricality. This is, in fact, the first French feature film of the sound era shot away from the studios, on location, mostly alfresco, using natural direct sound at the site of the story. *Angèle* was a significant and innovative exemplar of what in postwar Italy, a decade later, became known as Neo-Realism.

The film also marked a giant step in the career of one of the major stars of French cinema—Fernand Joseph Désiré Contandin, better known as Fernandel. This popular actor, with his trademark horselike grin, had previously appeared on screen

only in low farcical roles. In Pagnol's film he is extraordinary as Saturnin, the slightly retarded farmhand who, more than any other character, moves the plot along. Saturnin is like a Shakespearean clown with tragic overtones. A few years later, Fernandel acknowledged: "If I became a real actor, I owe it to Pagnol."

Pagnol's Favorite

In 1935 the director made two short features, each an hour long, intended to be shown together: *Cigalon* and *Merlusse*. *Cigalon*, which has never before been seen in America, was Pagnol's personal favorite among his purely comic films. Food—above all, *la cuisine provençale*—had always bulked large in his life. The reconciliation scenes in his pictures are nearly always sealed by great communal meals; the famous Midi accent, so integral to his cinema, is like a note of locutionary garlic. With *Cigalon*, he made his most culinary film.

Its title character is a marvelously droll megalomaniac cook, formerly the chef of a famous Paris restaurant, now settled down with a place of his own in Provence. He heaps scorn on the tourists who turn up at his establishment and finds none of them sufficiently refined gourmets worthy of tasting his food. He lets these poor folk only smell his tasty dishes, eats them himself, then in a fit of tantrums sends the salivating would-be customers packing. Cigalon is finally brought to his senses when an ex-laundress opens up her own restaurant down the street and becomes his chief competition. The rival cooks resolve their differences by getting married.

Merlusse is a winning little film that deserves to be better known. A sort of southern French "A Christmas Carol," it was shot at Pagnol's alma mater, the lycée Thiers in Marseille, which he had attended as a student and where he had later worked as a teacher. Its protagonist is a stern one-eyed professor, unpopular with the students, who on Christmas Eve reveals a kindly side. It was one of Graham Greene's favorites. He wrote of it: "Pagnol's direction has a simpleness, a directness that is admirable."

Pagnol went from strength to strength during the 1930s. *Regain / Harvest* (1937), based on Giono's pantheistic tale, is set in a rude and primitive Provençal mountain village with only one remaining inhabitant, a half-wild poacher, Panturle (Gabriel Gabrio). He sets out to redeem the land and save the village from abandonment by taking as helpmate the hapless Arsule (Orane Demazis), whom he rescues from bondage to an itinerant tinker. She had been hauling the man's wagon from town to town like a beast of burden. Her pregnancy by Panturle coincides with their first harvest, and the film, an exquisite hymn to the earth, ends with a strikingly lyric shot of the couple walking toward each other while planting wheat—they exchange a silent glance which projects the bond that has developed between them. Pagnol commissioned Arthur Honegger to

Pagnol on Video

Ten of Marcel Pagnol's films are available on video in their original uncut versions, in French with English subtitles, from: Interama Video Classics, 301 W. 53rd St., Ste. 19E, New York, NY 10019–5766. Telephone: (212) 977–4830, fax: (212) 581–6582. All films are in black and white.

Marius (1931), 125 minutes.
Fanny (1932), 125 minutes.
Topaze (1933), 92 minutes (with Louis Jouvet).
Angèle (1934), 134 minutes.
César (1936), 123 minutes.
Harvest (1937), 127 minutes.
The Baker's Wife (1938), 124 minutes.
Le Schpountz (1938), 135 minutes.
Topaze (1951), 98 minutes (with Fernandel).
Letters from my Windmill (1955), 140 minutes.

Prices range from $39.95 to $59.95 for single films, and $99.95 for the complete Marseille Trilogy.

—*E.S.*

compose and direct the music. Noble and restrained, it deserves to be classed among the finest European film scores of the period.

Le Schpountz (1938), one of the revelations of the series, marked a complete change of register. It's a keen-witted satire from an original script by the director, drawn from his own early experiences in the film business. The protagonist, a simple-minded movie-struck lad (Fernandel) from the Midi is convinced he has the makings of a great tragedian of the screen but instead finds fame as a clown. Although this is Pagnol's most delightful lightweight work, it contains several beautifully written passages about the importance of comedy in a troubled world.

> Albert Einstein declared *The Baker's Wife* "the finest, the most human film which I have ever seen."

Serious Comedy

La Femme du boulanger/The Baker's Wife (1938) was the last of Pagnol's Giono adaptations and was to prove the most celebrated. A tremendous critical and popular success in France, when released in the United States in 1940 it was selected by the New York Film Critics Circle as best foreign film of the year. It went on to break records in art and repertory theaters around the country and prompted Albert Einstein to declare: "It is the finest, the most human film which I have ever seen."

Raimu, in his most famous role, appears as a Provençal village's new baker. His delicious loaves have made him a local hero. When his young wife runs off with a handsome shepherd, the baker refuses to make bread until she is returned to him. The townsfolk—the priest, the schoolteacher, the nobleman, and what seems to be a large Greek chorus of know-it-alls who usually are to be found squabbling with one another about politics and religion—unite to find the fugitive pair and convince the wife to return home. At last she does and is forgiven by her husband—and his crusty baguettes become available again for one and all.

What in lesser hands could have become an evanescent farce is raised to the level of serious comedy with tragic overtones by the quality of the writing (some of the baker's tirades are like extended opera arias) and Raimu's incomparable performance. In a remarkable scene, the cuckold stumbles out on the town square, bawling his loss, threatening suicide. In Provence, grief, like joy, is a shared emotion and takes place in public. And in such a village everyone has his place: If the baker lets his oven go out, the entire town is plunged into a state of anarchy. The director was keenly aware that the idiom and daily life of long-established communities can give films vitality, dignity, and authenticity. Because this deeply moving and richly comic work celebrates a way of life that has now disappeared, it is also a priceless record.

An awareness of the production history of *La Fille du puisatier/The Well Digger's Daughter* (1940) is essential to understanding why, among all of Pagnol's films, it is the one most of its period. Pagnol's other films all take place in what was then a sort of timeless Provence, but *The Well Digger's Daughter* mirrors a specific moment in history. The film is set between the spring and summer of 1940—coinciding precisely with the time during World War II when it was shot. The French refer to that spring as the *drôle de guerre*—"the phony war." When things finally heated up with the German invasion, production was halted and Pagnol was not able to finish his film until well after the armistice. It became the first French movie completed under the German occupation.

This relatively slight romantic comedy of a young woman from a working-class background in the Midi who falls in love with an air force officer from a snobbish middle-class family accrues a good deal of added resonance from its reflection of the tensions felt by everyone at the time it was made. It's the only film of its time

in which the trauma of the French defeat can be sensed. But it's also vintage Pagnol. When it was released in this country, respected critic James Agee compared it favorably with the hokey American films then being made and concluded by saying he was "happy to see people behaving like human beings in a basic, moving, difficult situation. A film such as *The Well Digger's Daughter* can be made only by the pure in heart."

During the Vichy years Pagnol scrupulously avoided any collaboration with the Germans. He raised flowers, translated Shakespeare, and in 1941 started work on a new film, *La Prière aux étoiles / Prayer to the Stars*. It featured Josette Day, star of *The Well Digger's Daughter* (she would later appear as Beauty in Jean Cocteau's *Beauty and the Beast*). After a few reels were shot, dissatisfied with the restraints on working conditions, Pagnol halted production on the film (it was never finished) and a few weeks later sold his studios to the Gaumont company.

In 1946 Pagnol was elected to the Academie Française—the first film director to become an "Immortal." By then, Raimu and other members of Pagnol's old team were deceased or retired; with his studio gone, he could no longer work in his accustomed communal/artisanal fashion. He went on to make four more films, but his postwar output failed to achieve the impact of his earlier work. Pagnol's great period was the 1930s.

After the director's death in 1974, audiences rediscovered his work through such films as Claude Berri's *Jean de Florette* (1985) and *Manon des sources* (1986), based on a two-part novel by Pagnol. In 1990, two films directed by Yves Robert based on Pagnol's memoirs, *My Father's Glory* and *My Mother's Castle*, were released in France to great acclaim.

The American edition of his memoirs (North Point Press, 1986) contains a preface by the celebrated cook Alice Waters, owner of one of America's most renowned restaurants, Chez Panisse, its name inspired by a beloved Pagnol character. Her heartfelt tribute is worthy of citation: "I decided to name our new restaurant after the widower Panisse in Pagnol's Marseille trilogy so as to evoke the sunny good feelings of another world that contained so much that was incomplete or missing in our own—the simple wholesome good food of Provence, the atmosphere of tolerant camaraderie and great lifelong friendships and a respect for both the old folks and their pleasures and for the young and their passions. These pages resonate with the inspirational qualities of all Pagnol's work: good humor, love of nature, sensuality and strong feeling for family and tradition." ■

Fernandel in a film Jean-Luc Godard later called "one of the most beautiful films ever made": *Angèle* (1934).

The Pagnol film series is at the Museum of Fine Arts, Boston, through July 30 and travels to the Lefont Theaters in Atlanta in mid-September; Haifa, Israel, in October; London in December 1995 and January 1996; Stockholm in February 1996; and other European cities throughout the summer of 1996.

Elliott Stein teaches film history at Fairfield University in Connecticut.

Mahler Meets the Corporate Elite

BY MELVYN KRAUSS

Amsterdam's Mahler Festival was an unforgettable banquet of music—but dedicated music lovers had to take a back seat to corporate sponsors.

Amsterdam—even more than Vienna, where Gustav Mahler spent most of his productive life conducting and composing—is the European capital where Mahler and his music are most genuinely appreciated and consistently honored. Amsterdam's Royal Concertgebouw Orchestra—not Mahler's own Vienna Philharmonic—has long been the repository of great Mahlerian tradition. And in the Concertgebouw (literally, "concert building"), it is Mahler's name—not Mozart's or Beethoven's—that occupies the central place of honor in the Composer's Hall of Fame inscribed in the famous curve of the balcony's facade. Mahler himself once commented, "There is only one musical center where I have always been understood by the conductors, by the orchestra, and by the public, and that is Amsterdam."

Perhaps the greatest exponent of Mahler's music, other than the composer himself, was the Dutchman Willem Mengelberg, who became the conductor of what was then simply called the Concertgebouw Orchestra one hundred years ago and kept that post for almost fifty years. In 1920 he celebrated his silver jubilee with the orchestra by mounting the world's first comprehensive Mahler Festival. Seventy-five years later, Martijn Sanders, present director of the Concertgebouw, set out to commemorate the event by launching a 1995 version of the 1920 festival. The festivities took place in Amsterdam's Concertgebouw and its surroundings during the first two weeks of May and attracted worldwide attention and sixty thousand visitors, according to the Dutch organizers.

"By definition," one critic noted, "a Mahler festival is always going to be big." The 1995 Mahler Festival was the mother of all Mahler festivals. Rather than have the Royal Concertgebouw Orchestra alone play all of Mahler's ten symphonies—which would have been attraction enough—Sanders shared out nine of the composer's symphonies between three of Europe's top orchestras—the

HANS VAN DEN BOOGAARD / HOLLANDSE HOOGTE

Royal Concertgebouw Orchestra, the Vienna Philharmonic, and the Berlin Philharmonic. (Deryck Cooke's performing version of the Tenth, which Mahler never completed, was given to the BBC National Orchestra of Wales.) To put the icing on the cake, Sanders engaged several topflight conductors—Bernard Haitink, Claudio Abbado, Riccardo Muti, Simon Rattle, and Riccardo Chailly—to lead these magnificent ensembles, all in the concert hall recognized by most knowledgeable observers as having the best acoustics in the world.

Which orchestras got to play which symphonies was determined by a delicate bargaining process conducted by Sanders with evident diplomatic skill. In the event, the Berlin got to play the Fifth, Sixth, and Ninth (the Fifth and Ninth led by their music director, Abbado, the Sixth by Haitink); the Vienna agreed to the Third with Haitink, the Fourth with Muti, and the Seventh with Rattle; while the Royal Concertgebouw paid the price of having to play the less interesting First Symphony by gaining the opportunity to play the grandiose Eighth (led by Chailly, their present musical director) and the Second (led by Haitink, their former musical director).

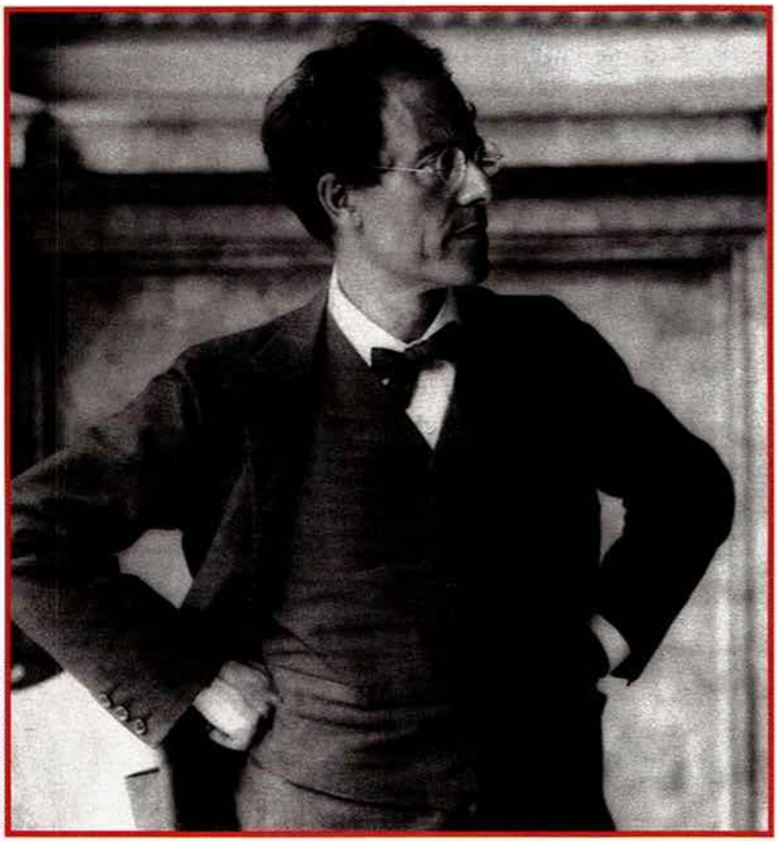
Missing the Mark

Great orchestras, great conductors, great music, all played in a great hall—it's hard to imagine how such an event could miss the mark of honoring the great composer. But to my amazement, the Amsterdam celebration of Mahler managed to do just that.

Bernard Haitink and the Berlin Philharmonic at the conclusion of a festival performance of Mahler's Sixth Symphony.

Certainly there could be few quibbles about the festival's purely musical side, for here there was much to admire. Mahler's Fifth Symphony (my personal favorite) as performed by the Berlin Philharmonic literally left me breathless. Abbado's reading of the magnificent score had the necessary sense of drama, tragedy, melancholy, and profundity—and the climaxes were thunderous in the hall's famed acoustics. The Ninth was in no way inferior. With Abbado's electrifying, almost operatic performances, it became clear—to me at least—that here was one of the top Mahler conductors of our time. And the Berlin played like teutonic gods.

The Vienna Philharmonic



COURTESY OF CONCERTGEBOUW

■ **Composer Gustav Mahler (1860–1911).**

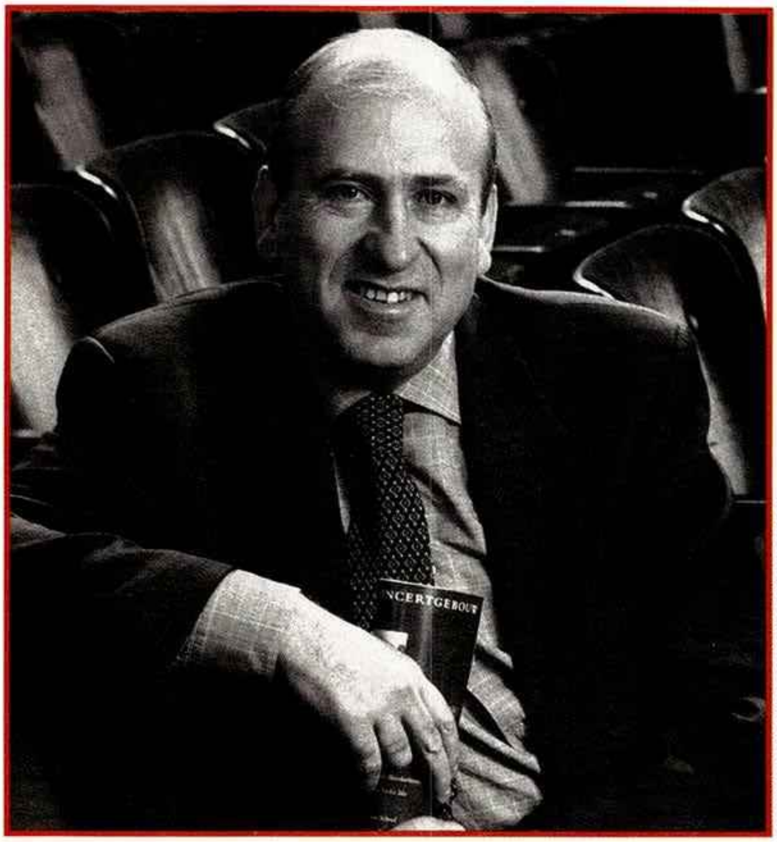
was hardly less distinguished. Haitink gave the hometown fans much to cheer about—and cheer they did—when he put his baton down at the conclusion of the Third Symphony. The Dutch conductor from Amsterdam drew a gorgeous sound from the orchestra, heavy with middle textures, that characterizes his solid approach to Mahler's music. A great success from a great Mahlerite. How the Royal Concertgebouw could let Haitink get away as its permanent musical director is one of the music world's great mysteries.

Simon Rattle, the young British conductor out of Liverpool, also won rave reviews with the Vienna for the Seventh, though I found his "disco dancing" on the podium both self-aggrandizing and off-putting. In this, if little else, Rattle is reminiscent of the late Leonard Bernstein. The consistently parochial British critics hailed Rattle's Seventh as "the most spontaneous of the concerts and arguably the most Mahlerian." I too found Rattle's abrupt changes of tempo and dynamics lively and fun—and the Vienna players appeared to agree—but his whole approach seemed somewhat superficial compared with that of his major-league competitors.

Admittedly, Riccardo Muti labored at a disadvantage in conducting the Vienna ensemble in the Fourth Symphony, which to my tastes does not have the grandeur of the Third, Fifth, or Ninth. But even taking this factor into account, I do not find Muti convincing as a Mahler conductor. He strikes me as a poseur, striving for effect here and there but unable to integrate the music's various themes into a unified concept. The players seemed to like him, though, and responded to his lead with magnificent sound. The truth of the matter is that the Vienna orchestra responds to almost anyone with magnificent sound and consummate artistry.

Notwithstanding this fact, it was the Berlin that made the stronger impression on the occasion of the Amsterdam festival. Now that its former music director and famed authoritarian, Herbert von Karajan, has gone to that great concert hall in the sky, the orchestra sounds rejuvenated and liberated by the Italian Abbado. Make no mistake about it, competition between the two ensembles—which goes back a long way—is never far from the surface. "It is a challenge for us to be playing with these orchestras in this hall," said Walter Blovsky, a violinist in the Vienna Philharmonic and the director of this self-governing aggregation. "There is no use pretending it is not a challenge."

Although I attended five concerts, I did not get to hear the Royal Concertgebouw, which played at the very beginning and very end of the festival. This is a real loss, since of all three major



GABOUW / CAPITAL PRESS / COURTESY OF CONCERTGEBOUW

■ **Martijn Sanders, director of the Concertgebouw and organizer of the 1995 Mahler Festival in Amsterdam.**

orchestras, it is the Royal Concertgebouw that has been the staunchest advocate of Mahler's music. It also would have been interesting to hear the Concertgebouw play under Chailly, who, unlike his distinguished predecessor, is not known for his Mahler.

'Ignoblesse' Oblige

A festival—at least a successful one—must be more than the sum of its parts. The 1995 Mahler celebration was less, and the fault can be laid squarely on the shoulders of the festival's organizers. Detracting from the pleasure of the music and the supposed spirit of honoring Mahler was an atmosphere that reeked with crass commercialism and corporate elitism.

One has come to expect high prices — indeed, very high prices — at Europe's gala events. The costs of these galas can be astronomical. But when Mahlerites who paid the high prices—200 guilders, or approximately $140, per ticket—and in some cases traveled long distances (some from as far away as Australia and Japan) arrived at their seats, they found them to be bad seats: They either were not favorable acoustically, had bad sight lines, or were in the direct path of intense television lighting. The reason was that the Dutch corporate "insiders" who helped sponsor the concerts appropriated the best seats for themselves. For the "outsiders"—who by the long distances they traveled, and the high prices they paid, proved they were true Mahler lovers—it was simply impossible to get a good seat no matter how far in advance tickets were ordered.

According to Ledewej van Valkenhoef, the travel agent given responsibility for arranging air travel and festival tickets for visitors coming from abroad, KLM was "the official carrier" of the festival: The airline company flew the orchestras to the festival for free, but in exchange was given exclusive rights to the sale of tickets to visitors from abroad. Any foreigner who wanted to attend the festival was required to fly to the Netherlands on KLM and work through the travel agency KLM hired to arrange festival tickets.

Van Valkenhoef says she was given only 400 tickets (out of 2,000) to each concert by the festival's organizers, and that 200 of these were always "bad seats" (although they carried the same price tag as the 200 better seats she was given). She had the regrettable task of trying to divide the bad and better seats equitably among concertgoers, most of whom had ordered tickets for a number of concerts. She says she felt sorry for the foreign visitors, many of whom became

HANS VAN DEN BOOGARD / HOLLANDSE HOOGTE

■ **Claudio Abbado leads the Berlin Philharmonic in a festival performance of *Das Knaben Wunderhorn*, with soloist Anne Sofie von Otter.**

justifiably irate.

While some blame must be given to subsidiary agents in the visitors' countries who evidently did not let clients know where in the hall their seats were situated (van Valkenhoef says she let the agents know), the primary problem was that good seats simply were not made available to foreigners. But they were also nearly impossible for the Dutch to get. I know of a number of Hollanders who tried over a period of months to obtain tickets and were unable to do so, or in the end were allowed only a meager choice of second-rate seats. Only if a Dutch person got a *passepartout* to all of the festival events, costing thousands of dollars, did the task become easier and the seating better.

Sandra Nieuwenhuisen of the Concertgebouw's publicity department claims that only one-sixth of the hall was given to corporate sponsors. Such statistics can be manipulated according to how terms are defined. One can't but wonder what happened to the vast number of seats that neither foreigners nor average Dutchmen could obtain.

Serving the Public?

Whether by design or otherwise, the elite at the Mahler Festival was not a musical but a corporate elite, who used the prestigious event to pay off employees, butter up favored clients, and generally show off to the world how important they were.

Obviously, this is not as it should be. The Dutch corporations who sponsored the event (the main sponsors were Shell and the privatized Royal Post Office of the Netherlands, KPN) receive generous tax write-offs because they are assumed to be performing a public service, not feathering their own nests. If the corporations wanted to contribute to the celebration of Mahler, fine—but they should not have been given preferred seating in return. The sponsors also should not have been allowed to commandeer the Concertgebouw's most beautiful foyer rooms for private parties during intermissions. One of the many joys of

attending a concert at the Concertgebouw is taking refreshment in these lovely rooms. Even though I personally paid $140 apiece for my tickets, throughout the festival I had the uncomfortable feeling I was intruding on someone else's private party. What ever happened to Dutch hospitality?

Indeed, I wonder whether many of the foreign visitors who came long distances to honor Mahler will ever return to Holland. For not only did they suffer bad seats at high prices, but they also had to endure intensely bright television spotlights, often shining directly in their faces. Some in the audience actually wore sunglasses during the performances.

Unannounced to ticket holders, the main concerts were simultaneously telecast on a closed circuit to a huge circuslike tent—dubbed the "Mahler Tent" by organizers—set up directly across from the Concertgebouw. There, for only seven dollars, the literal outsiders (as opposed to those inside the concert hall who were just made to feel like outsiders) could attempt to enjoy the music and vicariously participate in what obviously had become a major event on the country's social calendar. (The hall itself was chock-full of Dutch high society. Even the popular Queen Beatrix, who is not known as a concertgoer, attended the Berlin's performance of Mahler's Ninth.) Thirty thousand people are estimated to have visited the "Mahler Tent" during the festivities. Besides bringing in oodles of cash for the organizers, the "Mahler Tent" proved good politics, since it helped deflect the inevitable (and in this case justified) charge that the toney celebration was being limited to the Dutch upper crust—a serious matter in socialist Holland.

It is clear that, as far as the Mahler Festival was concerned, Sanders' ambition got the best of him.

The fact that the Mahler Festival exemplified certain drawbacks of private sponsorship of the arts, however, should not be taken as an argument against private sponsorship per se. From U.S. experience, it is clear that private support can—and does—play a constructive role in promoting the arts if donations are properly targeted and administered. When, for example, a wealthy patron subsidizes the construction of a concert hall—Davies Hall in San Francisco and Avery Fisher in New York are two examples that come to mind—the result can be an enrichment of the life of the city. Similarly, if the support of an arts institution goes into general revenue, with either no or few strings attached, that too can be all for the good.

It is the American way—and a good way—to honor "hands off" wealthy contributors by placing their names on a building, room, program book, or whatever. The trouble arises with private sponsorship of a single event—like the Mahler Festival—because then the sponsor may want preferential treatment such as choice seats, and the event can be transformed from a public to a very private one (even though public moneys will in the long run be expended to compensate for the sponsor's tax write-offs). Grand gestures of charity and public-mindedness mean little if, into the bargain, sponsors get tit for tat.

It is clear that, as far as the Mahler Festival was concerned, Sanders' ambition got the best of him. "This festival must rank as unrivalled on the international scene for its star-studded ambitiousness," wrote the *Financial Times* music critic Richard Fairman. The organizers estimated its cost at between $4 and $5 million. If this amount could not be financed by ticket prices alone—without sponsors who commandeer the best seats for themselves and their clients—then the scale of the celebration should have been reduced. The important thing, after all, was not for Sanders to make a worldwide name for himself with a musical extravaganza. Rather, it was for Mahler lovers to commemorate their hero in what has justifiably become a true Mahler shrine—the Concertgebouw in Amsterdam. ■

Melvyn Krauss is a senior fellow at the Hoover Institution, Stanford University.

TABLE OF CONTENTS

PROFILE

122 **Keeping the Tradition Alive**
Robert B. Charles
Holy icons of the early church are being rediscovered by modern-day artists and the faithful.

EDUCATION

130 **Making the Most of Museums**
John Elvin
With thousands of museums and exhibits to choose from, a little planning before a visit with children can make all the difference.

COMMUNITY

138 **Hands across the Hedges**
Barbara L. Malone
Timely tips on how to resolve new-age and age-old conflicts with your neighbors.

Keeping the Tradition Alive

John Mark Snogren and Adele Morris are making the beauty and tradition of iconography accessible to a modern audience.

By Robert B. Charles

Iconographer is John Mark Snogren's third incarnation as an artist. After his graduation from Pratt Institute in Brooklyn, New York, his first artistic style, and one he magnificently executed, was trompe l'oeil. Next, he was a successful contemporary artist specializing in multimedia sculptures. But after he visited his brother, a monk at an Orthodox monastery just outside Boston, the path to life as an iconographer opened up to him.

That brief visit introduced him to Orthodox Christian icons. "I looked into these works and it just drew me from this world into another," he says. "I was intrigued by the paradox

Opposite: *Glykophilousa* (sweetly kissing), 10 x 12 inches, egg tempera on gessoed wood with 22-karat gold leaf, by Adele Morris.

COURTESY OF ADELE MORRIS

and power that surrounded me. I wondered how iconographers conveyed, through simple and earthly matter, a transcendent feeling that went beyond matter. What I felt was that icons made theology real, and that is what drew me to study and eventually become an iconographer."

That was the beginning of a deliberate transition. He studied theology, Byzantium, and the history of the very early church. One of his earliest creations in an overtly religious vein was a series of miniature wooden boxes that utilized parts of a window frame to surround a small cross. He had transformed something tangibly physical into something spiritual—a "window" into the divine. Looking back, Snogren feels that while his earlier works had latent within them a reflection of his inner need to express Christian principles, this somewhat primitive work marked the beginning of his direct expression of the issues that mattered most to him: the human spirit struggling toward the divine.

All this was years ago. Today, working from a basement studio in suburban Maryland, his goal is to become a full-time iconographer with a studio in the country. But until this becomes a reality, he still waits tables several nights a week at a trendy Washington restaurant to support his wife, Valerie, and their two young children. But days are reserved for painting.

ABOVE: OUR LADY OF MEDJUGORJE (THE APPARITION IN YUGOSLAVIA), 14 x 18 INCHES, EGG TEMPERA ON GESSOED WOOD WITH 22-KARAT GOLD LEAF, BY ADELE MORRIS. *RIGHT:* ADELE MORRIS WITH HER ICON OF *CHRIST PANTOCRATOR* (RULER OF THE UNIVERSE), HAND-TOOLED FRAME OF PEWTER WITH JEMSTONES, 15 X 22 INCHES.

Just a few suburbs away, Adele Morris brings icons to life in her recently remodeled second-floor studio. She has completed hundreds of icons over the past fifteen years, including the altar rail icons for the Transfiguration of Our Savior Church in Lowell, Massachusetts.

Unlike John, who discovered iconography after college, Adele grew up wanting to be an iconographer. But her Greek mother strongly discouraged her. In Greece, the only iconographers were monks or nuns. Resigned to the fact that life as an iconographer was not in her future but still wanting to pursue the arts, Adele majored in fine arts and then taught high school art for a few years.

When she and her husband, David, moved to the Washington area, a weekend outing found them across the street from a local Orthodox church. Intrigued, Adele just had to see the icons. Though the church doors were locked, a deacon who lived next door was kind enough to open the church for a private tour.

Adele was surprised to find out that the traditional iconostasis was painted by a married

woman, not a nun. The deacon also pointed out an ad on the church bulletin board for an association of iconographers. She attended a workshop sponsored by that organization in Upstate New York. From there, her dream quickly fell into place.

Before her mother died, Adele told her she was going to have two solo icon shows. She looked at her and said "Adele, your dream came true."

Adele replied, "What dream, Mother?"

"Don't you remember, the dream you told me when you were twelve years old?" said her mother. In this dream, Adele was standing with her grandfather in a room filled with icons and candles. As a young girl, she thought the dream was about her grandfather, who had recently died. But her grandfather's words, "All these are yours," took on a new meaning.

A WINDOW UNTO HEAVEN

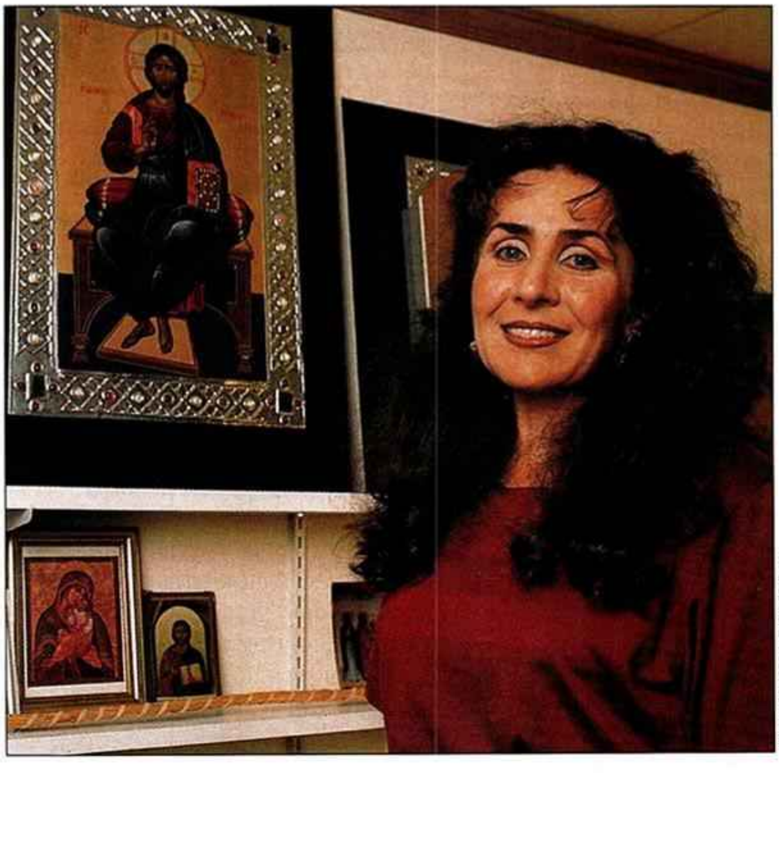
Few traditions were more important to the early Christian Church, or were more misunderstood in later years, than that of holy icons. In today's Jerusalem, Russia, Greece, and America, icons can be found in Orthodox churches and homes that have almost precisely the same form and construction as those found in Orthodox Christian churches and homes fifteen hundred years ago. The tradition of the icon, celebrated chiefly by the Orthodox Christian church, is described by iconographers as embodying their Christian faith.

> **"Icons are the history of salvation in pictorial form and include clear symbols and written words."**

Snogren, who has produced countless icons, ranging from life-size to pocket-size, explains that "in Western paintings [Western European and American], the subject matter may be sacred, but the work of art is never part and parcel of the divine liturgy as it is in the Orthodox tradition." Morris, who lectures on icons and iconography, says, "Icons are the history of salvation in pictorial form and include clear symbols and written words."

Snogren adds another important distinction. "Icons, unlike other art forms, are not naturalistic. They deliberately deemphasize the carnal, or the flesh, and elevate the soul. They are not supposed to evoke secular emotions or distract someone who looks upon them with violence or passion. They are supposed to emphasize the spiritual.

"In icons, through the depiction of scenes from the Old and



JOHN HARRINGTON / THE WORLD & I

COURTESY OF JOHN SNOGREN

THEOTOKOS OINOUSSAI (OUR LADY OF THE SIGN), 17 x 22 1/2, EGG TEMPERA ON PANEL WITH 22-KARAT GOLD LEAF, BY JOHN SNOGREN.

New Testament—whether of Christ, the Mother of God, a saint, or the death of a martyr—the iconographer is striving to create a window into heaven itself, or a model for all to follow. Icons are not of this world in the sense that they should represent perfect beauty, harmony, and the spiritual message of redemption."

Morris highlights what she would like observers to see in this legacy of ancient Christendom. "What you see is the spiritual truth conveyed by the icon. For example, in Western religious paintings, martyrs are popular, but you see them being flayed or speared. The point of those paintings is how the martyr died. But it is very rare to find that kind of depiction in an icon. The icon conveys, through symbolism, that you are looking at a martyr, a soldier of the church, someone who was willing to die for his or her beliefs."

What is the significance of that distinction? "What is important," says Morris, "is not *how* that person died, but *why* he or she died. You may find the person holding a cross, which conveys that he died for his Christian faith. Or you may see the background gilded in gold, which conveys that he is in paradise, in the presence of divine light."

Scholarly perspective

Icons date to the earliest days of Christianity. "In the tradition of the Orthodox church," according to Snogren, "one finds references to the Apostle Luke painting icons. In fact, there is even an icon of Luke painting an icon of Mary."

Constantine Cavarnos, an authority on Byzantine iconography, writes that "Byzantine iconography appeared in the Byzantine Empire—the Christ-

ian empire of the Hellenic East whose life span extended from 330 to 1453—as a fully developed and widely spread style of painting at about A.D. 500."

Scholars corroborate that the earliest Christian icons, often found in catacombs, date from the second and third centuries. Stylistically, these icons reflect a fusion of classical Greek, Hellenistic, Egyptian, and Syrian art.

Today's icons have their roots in a stylized iconographic form that flourished under Justinian the Great, ruler of the Byzantine Empire from 527 to 565. In the eighth century, Christian iconography encountered official opposition in what has come to be known as the age of "iconoclasm," from the Greek word for "image breaking." The Second Council of Nicaea (787) settled the controversy by ruling that icons were allowed so long as they were merely venerated, not worshiped. Icons soon reappeared in churches and resumed their role as important symbols of the Christian faith and part of the liturgy.

The period between the second council and the fall of Constantinople in 1453 is central. During this time, the icon rooted itself in Christian tradition. What had been an early, often persecuted art form took on recognizable and unchanging features. This period confirmed what are today's recognized archetypes and patterns.

After 1453, iconography continued to flourish in Russia, Greece, and Jerusalem. Large wall paintings from this period can be found at the Holy Mountain of Athos, Meteora, and Kastoria in northern Greece. Says Snogren, "The same faces and same Christian images have been passed from iconographer to iconographer for centuries." Most of the icons that tourists see today in Greece or Russia come from the post-1453 period; many are from the nineteenth century. Due to communism, there was a direct campaign against religious expression, which naturally included iconography. This resulted in a huge cultural loss.

Steps to Iconic Beauty

Both Snogren and Morris paint in the Byzantine tradition of fifteen hundred years ago. The making of an icon consists of applying layers of "gesso" (a combination of gypsum or slaked lime and a hide skin glue) to a panel of wood and sanding it to an ivory finish, painting the image in egg tempera (a precursor to oil painting), and gilding the background in pure gold leaf.

JOHN HARRINGTON / THE WORLD & I

The Rebirth of Iconography

"Icons are on the comeback," says Snogren. During the past sixty years, iconography has enjoyed a revival, especially as Protestants rediscover their place in the shared early church history.

In 1930, a celebrated iconographer, Photios Kontoglou, began to revive the tradition of iconography, triggering its worldwide rediscovery. Today icons are readily found in Greece, Russia, Romania, and other parts of Europe with strong Orthodox heritages. They are also invariably found in Orthodox churches in the United States, whether these churches are associated with a Greek, Russian, eastern European, or American archdiocese.

Icons are also popping up in U.S. museums. "What you are seeing," says Snogren, "is a surge of interest based on major new traveling expeditions and publication of previously unheralded icons."

The Icon as Art

The icon is plainly art. On the other hand, it is also plainly

ABOVE: THE LADDER OF DIVINE ASCENT, 9 1/2 x 6 1/4 INCHES, EGG TEMPERA ON PAPER, WITH 22-KARAT GOLD LEAF, PAINTED ON THE INSIDE COVER OF A BIBLE, BY JOHN SNOGREN. *RIGHT:* JOHN SNOGREN IN HIS STUDIO WITH *CHRIST, THE LIGHTGIVER*, 23 1/2 x 16 INCHES, EGG TEMPERA ON PANEL, WITH 22-KARAT GOLD LEAF.

not secular, at least not in the same way as ordinary examples of Impressionism, Expressionism, or realism. In fact, it is also fundamentally different from a piece of modern religious artwork.

First, while icons vary in size, subject, color, and success at conveying Christianity's spiritual message, they invariably mix talent with a living faith. They are created with the full understanding that they will likely (although not necessarily) be objects of religious veneration. Time-honored symbols of sacred persons and happenings in the Bible or Christian history, icons are frequently used in the worship service itself.

Icons are created in accord with a distinct convention. Commonly understood rules of perspective, size, shape, and positioning do not apply to icons. There is writing on icons, describing who or what the icon is about. In addition, people are never depicted in profile. A three-quarter view is permissible, but both eyes must be visible. Why? In Morris' words, "The icon is holding a silent spiritual communication with the observer." Folds in clothing are intended not so much to follow the contours of the body but to emphasize the incorporeal and spiritual nature of the subject. Parallel lines going into the distance will usually widen, instead of converging. The icon is communicating the transcendence of another world—perfect, yet different from this one. In short, icons deliberately bear little resemblance to artistic norms, past or present.

"People unfamiliar with icons may think that they are merely flat, unsophisticated, and primitive," says Snogren. "But they are far from it. While most art emphasizes self, icons express the truth of the image, whether Christ or a saint, blending history, theology, and color. In an icon, the artist is striving to express the faith, eternal life, and what the church understands as the truth."

Is there room for creativity? "Of course," says Snogren, "but you are aspiring to express in the beauty and harmony of the icon an unchanging truth. You are not expressing your will but latching onto something greater than yourself, not unlike the scribe copying the text of the Bible."

One is clearly left, especially after spending time in the Snogren and Morris studios, with the impression that enormous talent is required. These modern icono-

graphers are both faithful to the distant past and their own present talents.

One respected scholar sums up the artistic critique: "The art of icons is a sacred art in the true sense of the word. It is nourished wholly on the spiritual truth to which it gives pictorial expression. For this reason, it is often inadequately and faultily judged, when approached from outside with criteria borrowed from profane and purely human art."

In short, this art form is not intended to be novel or modern; its basic beauty is that it keeps the origins of the Christian faith alive in their original artistic form. It is intended to convey the constancy, beauty, and harmony of the faith by sticking within the tightly drawn constraints of an unchanging tradition. No surprise, then, that iconographers intentionally use the same media, techniques, patterns, and archetypes that were used centuries ago.

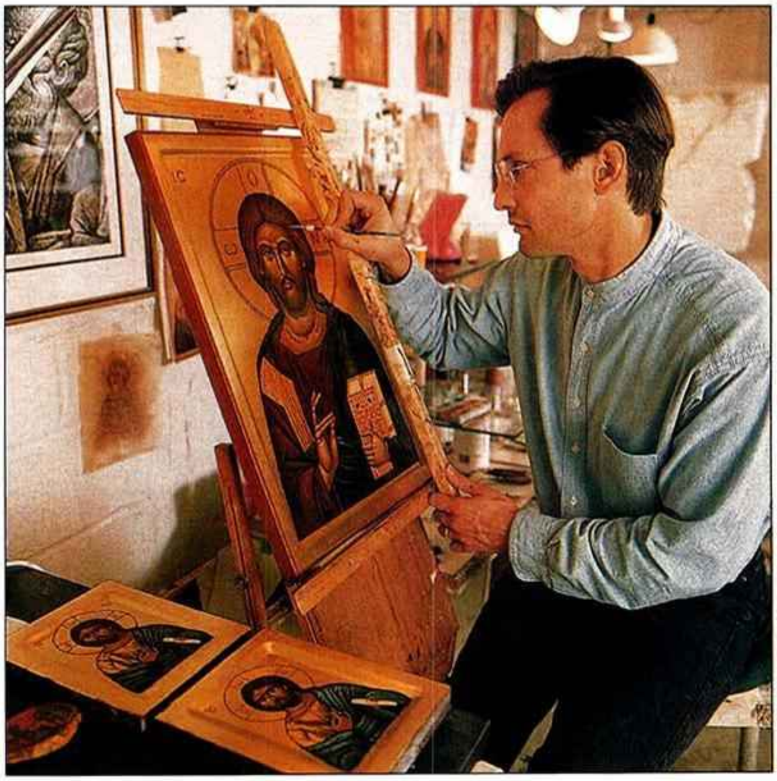
What do icons really mean? To Morris, "Icons convey doctrinal truth. God communicates through them. They are God's work, a metaphorical window into heaven and redemption." Snogren feels that the icon is a window onto God's world. "Icons effected my conversion to Orthodox Christianity because they showed me the relevance of God in my life," he says. "When I paint an icon now, it is a reflection of what is inside me. Saint John of Damascus is said to have believed that 'you are what you look at.' For me, that says it. If you spend your time looking at certain magazines, you can expect to become a lustful person. But if you look upon icons, you will affect your soul in a different way, a beautiful way."

"You are aspiring to express in the beauty and harmony of the icon an unchanging truth."

He pauses for a moment. "What you look at reflects what you love, and what you look at also affects you. Icons reflect wisdom out of the ancient church that is tragically needed for us today. This is why I paint icons. Icons are God's way of showing forth hope and light."

In this fast-moving century, how does someone become an iconographer? As John and Adele so well exemplify—slowly, but with great confidence, faith, and prayer. ■

Robert B. Charles is a lawyer who lives in Chevy Chase, Maryland. This article is dedicated to his wife, Marina, for her faith, love, and patience during the preparation of this article.



Making the Most of Museums

With thousands of museums and exhibits to choose from, a little planning before a visit with children can make all the difference.

Adults often have an exaggerated sense of reverence when it comes to museums—a reverence that makes them uncomfortable with the idea of bringing in children. Certainly some museums demand respectful behavior, but many today encourage an almost free-for-all approach. The Exploratorium in San Francisco, for instance, has only one rule: No

COURTESY OF PLEASE TOUCH MUSEUM

Right: One part of the *Growing Up* exhibit at Please Touch Museum in Philadelphia is based on a Russian folktale called "The Turnip." *Opposite:* This original poster announced a new Please Touch exhibit based on four of author-illustrator Maurice Sendak's popular children's books.

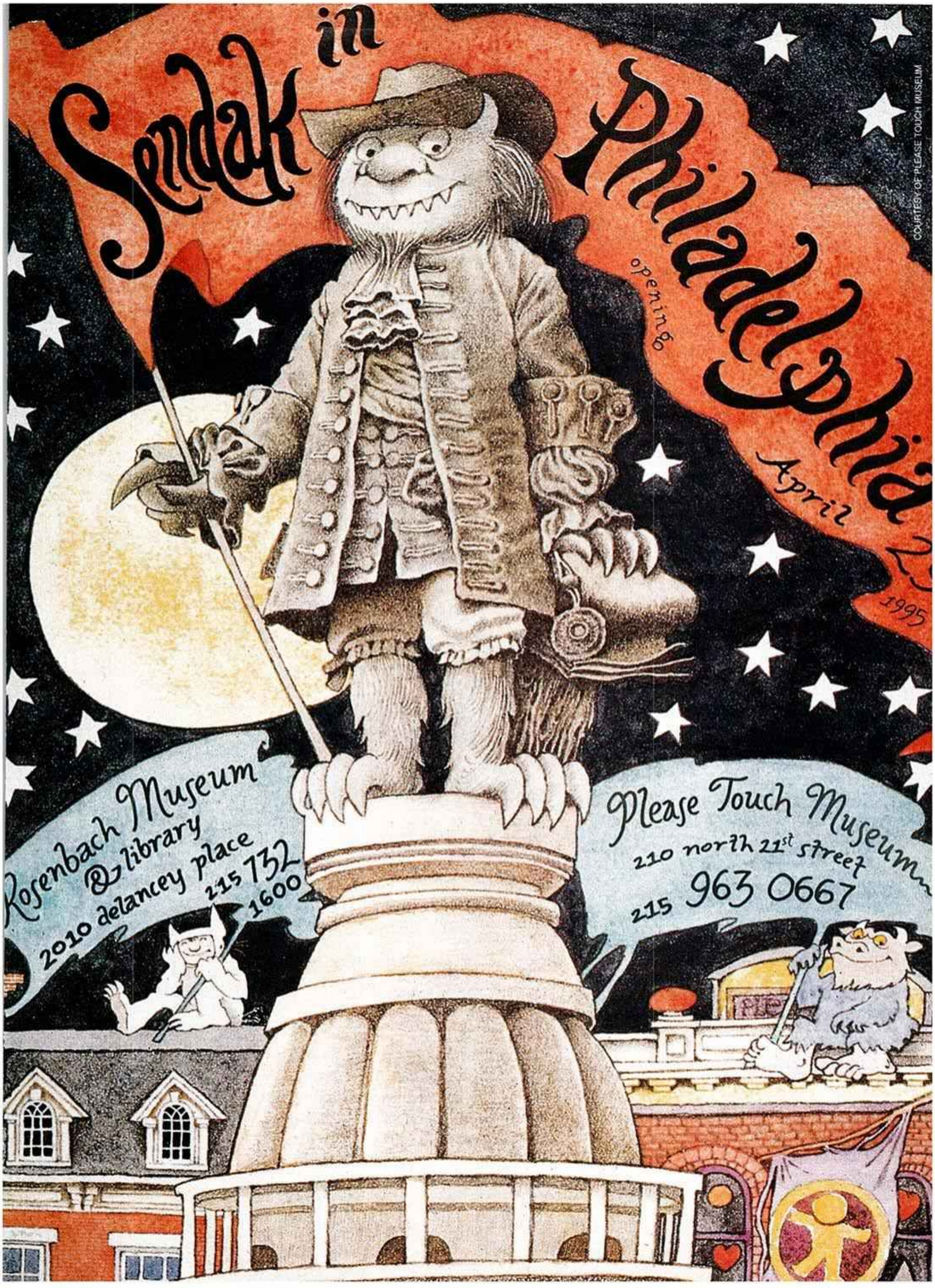
bike riding inside.

A nationwide survey by the American Association of Museums found that these institutions log in an average of half a billion visits annually. In a recent year, over forty-nine million visits were made by children in school groups, but—at least with regard to museums designed for children—seven times as many visits were made by children with family members.

After talking with various experts and surveying the limited amount of literature on the subject, I have concluded that there are three primary issues when considering whether to bring children to a museum.

First is age. The classic museum with its

By John Elvin


Sendak in Philadelphia
opening
April 23
1995
Rosenbach Museum & library
2010 delancey place
215 732 1600
Please Touch Museum
210 north 21st street
215 963 0667
COURTESY OF PLEASE TOUCH MUSEUM

enshrined displays may not be interesting enough for some youngsters under eight. Fortunately there are other options, which leads to the second consideration: What is the focus of a particular museum?

In the United States alone, there are well over eight thousand museums—some very specialized and some diverse—including over sixty children's museums. Other venues lumped into the museum category are aquariums, zoological parks, nature centers, botanical gardens, and planetariums. Altogether there are over fifteen thousand different sites to choose from.

A PARENTAL PREVIEW

When possible, it is helpful for the adult who will guide the expedition to check out the museum alone first. This allows a chance to get to know the facilities—including such mundane considerations as locations of bathrooms—and to develop an itinerary.

The "alone" visit is also a good time to assess the exhibits in terms of access. Lifting a child who cannot see into cases may get tiring after a while, so you might not want to include too many of those areas.

In art museums, the paintings may not suit a child's height. There is also the matter of lighting; sometimes lights are set such that they glare on the child. This explains why, to the consternation of some parents, their child may sit on the floor to view a painting.

In addition to children's age and the focus of the museum, a

JOHN HARRINGTON / THE WORLD & I

WHEN VIEWING A CÉZANNE, A CHILD'S INTEREST MAY BE PIQUED BY TALKING ABOUT THE FRUIT ON THE TABLE.

third factor, experts say, is paramount in creating an enjoyable museum experience for youngsters: participation.

"Parents should explore with the children, not stand back," says Melinda Mains, communications director for the Children's Museum of Indianapolis, the largest of its kind in the world. "They should talk to the children about how the exhibit or activity relates to the rest of the world. An antique car is not just an object; it is a car like grandma drove."

While children are naturally curious about the new and strange things they encounter, some adults, according to authors Milde Waterfall and Sarah Grusin, find this intimidating because they don't know all the answers. In *Where's the Me in Museum?* Waterfall and Grusin encourage parents to adopt a "Let's find out" attitude and suggest that staffers or even security personnel may be of assistance. The book includes a "Museum-Goers Bill of Rights" that the authors find appropriate for young visitors. Among them:

"We have the right to be bored if there is nothing that seems interesting."

"We have the right to take the time we need to look and think while in a museum."

"We have the right to want to go home."

"We accept the responsibility for not damaging the museum or its collection."

"We accept the responsibility for our own behavior."

There can be important differences in how adults and children approach the museum experience. Some adults are inclined to move swiftly from

room to room, trying to "take it all in." Children, however, may wish to return again and again to an exhibit to search for meaning or otherwise attempt to satisfy their curiosity. An adult can accommodate a child's pace by asking leading questions, such as "Should we move on?" or "Are you ready to go?"

In the United States alone, there are well over eight thousand museums.

A TRIAD OF MUSEUM TYPES

There are three main types of museums—art, history, and science—and there are general guidelines that may be helpful in approaching each type.

The approach actually begins at the front door. When the museum looks like an ancient coliseum—with marble steps, huge pillars, and ornate entranceways—the appearance itself can prove a barrier. If this is the case, it helps to arouse children's curiosity about the outside of the building first, till they become comfortable with it.

The next step, perhaps, is to move inside to the museum shop to buy postcards. These cards can serve as the basis for a "hide and seek" sort of game, where youngsters find objects and exhibits portrayed in the cards.

The art museum is probably the most difficult to visit. At least till the age of four, children are said to be most responsive to things they can touch—but in the art museum, only the eyes are allowed to touch. This needn't be discouraging though; think how children love the pictures in storybooks. Adults can help children relate to works of art by telling stories and, perhaps more so, by listening to the sometimes astonishing stories youngsters make up about what they are seeing.

"The powerful impact of a Cézanne still life may not strike their unpracticed eyes," notes David Finn in his book *How to Visit a Museum*, but "their interest may be piqued by talking about the fruit on the table."

Then again, it may not. Art historian Elaine Hochman, who has written on the subject of children and museums, advises that "if they think a great master's painting is 'yucky,' that's okay." Oddly enough, compared with adult behavior, children have been known to return again and again to a work that provokes a negative response.

Art museums offer quite a range of material—from modern to folk to ancient art—and thus will foster a range of reactions. Which brings up the delicate question of how to deal with nude paintings and statues. This issue may be one of the more convincing arguments for making an "alone" visit first, to determine which areas, if any, are appropriate for children. Unless one is prepared to respond to children's giggles or snickers at these displays, it may be better to select a place designed specifically for youngsters.

The history museum can be interesting for children, particularly when approached in a comparative way. How does the exhibited item relate to today? This tactic can be turned into a "Let's find out" detective game. How did people in the old days handle problems and situations when they didn't have our modern gadgets and conveniences?

Of the many varieties of history museums, certainly the living history displays can be fascinating for children, because they involve activity and interaction. Any number of museum villages can provide great vacation experiences—from Plimoth Plantation in Plymouth, Massachusetts, to Colonial Williamsburg in Virginia, to Greenfield Village in Dearborn, Michigan.

"Children love it because you can talk to the people," says Tracy Spikes, administrator of the Spanish Quarter restoration in St. Augustine, Florida. Spikes oversees a living museum that is actually a little community, with guides in period attire performing what would have been daily chores and activities.

Contrary to policy at some restorations, actors in the Span-

ish Quarter are not required to stay in character. If children ask why they don't drive cars, for instance, they don't shrug and say they don't know the meaning of the word *cars*.

"Our people relate to the present," says Spikes. "We don't want to confuse the children; we want to encourage them to ask questions." In fact, he believes that the most important assistance parents can give in visiting a living history exhibit is encouraging their children to question. What sort of questions come up? A typical question, Spikes says, concerns whether the city was walled in because of Indian attacks. "Actually the city was constantly attacked by the British from Georgia, not Indians," he notes.

My excursion to the Spanish Quarter brings to mind a word of caution about relying on guidebooks. According to ours, there were restored homes where children could "try chores . . . performed hundreds of years ago." As it turned out, that program was canceled some time ago because, as Spikes tells me, "we just didn't have the staff or time for it." So, sure, read the guidebook, but call ahead before setting your child's heart on seeing a particular exhibit.

COURTESY OF HENRY FORD MUSEUM

GREENFIELD VILLAGE, PART OF THE HENRY FORD MUSEUM, IN DEARBORN, MICHIGAN, INCLUDES A LIVING HISTORY DISPLAY THAT ALLOWS CHILDREN TO BECOME INVOLVED.

Also in the history category is the natural history museum—with its fascinating displays of bugs, rocks, skeletons, and all sorts of objects to excite youthful curiosity. Children can prepare in advance by assembling a natural history collection of their own from the backyard. Rocks, leaves, and other small wonders gathered up by hand can help them relate to the stranger objects to be found in the museum. Once they are examining the museum displays, take note of questions that arise for follow-up investigation at the library.

The science museum can be great fun because the exhibits are quite often interactive. Linda Dackman at the Exploratorium in San Francisco says that while kids may lose interest at conventional museums after hours, at the Exploratorium "we have kids throwing tantrums because the parents eventually want to leave."

Although this is actually an adult museum, geared to junior high school students and above, younger visitors thoroughly enjoy it, she says. "It's a vast workshop. There are no walls, and there are all sorts of blinking lights and sounds to catch their attention. The kids get into it."

The Exploratorium offers five hundred participatory exhibits and artworks focused on how we perceive the world. Dackman's advice to parents: "Wear comfortable shoes."

The Children's Museum

For young people, the most interesting sort of museum is

undoubtedly one designed especially for them, the children's museum. Quite often these institutions offer not only hands-on exhibits but also theater and storytelling programs, craft projects, games, and other activities.

There seems to be no end to variations on this theme. At the Los Angeles Children's Museum, kids have their own television studio, where they can create broadcasts. The Children's Museum in Boston offers special collections of Japanese and American Indian art. At the Please Touch museum in Philadelphia, exhibits include folk art and sculpture, natural science, technology, musical instruments, games, toys, costumes, masks, foot gear, and hats.

Please Touch public relations manager Scott Bluebond says, "There is no right way to go through. Children and adults should go wherever they choose, although we do provide maps for those who want to plan ahead." The map includes questions that adults can use to help children prepare for what they will see.

As a follow-up to their visit, youngsters can draw pictures of something they enjoyed and, if they like, send them in to the museum to help the staff assess what children find most interesting. Beyond that official purpose, the staff like to brighten their offices with the pictures.

The array of offerings at the Children's Museum of Indianapolis is simply mind-boggling. There are hundreds of permanent and changing exhibits, including a planetarium, theater, extensive garden complete with *Tyrannosaurus rex*, walk-through limestone cave, computer discovery center, archaeological dig, toys and dolls gallery, and ride-on hand-carved carousel, to mention but a few. The museum offers more than four thousand special programs each year, including workshops, demonstrations, parent-child activities, and fairs. The museum operates with 250 paid staff plus a host of volunteers, just to give an idea of its size and complexity.

The most important assistance parents can give in visiting a living history exhibit is encouraging their children to question.

THE VENERABLE SMITHSONIAN

Speaking of grand scale, the Smithsonian Institution in Washington, D.C., is in a class by itself.

COURTESY OF THE EXPLORATORIUM

THE EXPLORATORIUM IN SAN FRANCISCO OFFERS FIVE HUNDRED PARTICIPATORY EXHIBITS AND ARTWORKS FOCUSED ON HOW WE PERCEIVE THE WORLD.

"Our Nation's Attic," it is called. Smithsonian collections contain an estimated 140 million objects, so don't plan on doing it all in a few hours.

The Smithsonian has recently issued a comprehensive information packet to help families plan an enjoyable visit. The "Family Packet" includes a detailed explanation of what is found in each of the component museums. Of particular interest to the younger set, it suggests, are the American History, Air and Space, Natural History, and National Postal museums and the Zoological Park. The packet also offers specific tips for visiting with children, including: "Take frequent breaks—especially when visiting with preschoolers. . . . If you enjoy the outdoors, have a family picnic on the National Mall!" (Bringing food prepared at home is a tip several experts agree on, noting that cafeteria or vendor food at museums may not be to the children's liking and is overpriced.)

The Smithsonian, like many other museums, offers membership programs for several of the collections within the institution, such as the Air and Space Museum, the National Design Museum, and the National Zoo. A very popular program with over million members is the Smithsonian Associates, which offers many benefits including

COURTESY OF CHILDREN'S MUSEUM

CHILDREN AND PARENTS ARE BOTH ENCOURAGED TO EXPLORE AT THE CHILDREN'S MUSEUM OF INDIANAPOLIS, THE LARGEST MUSEUM OF ITS KIND IN THE WORLD.

educational activities for both adults and children.

WHERE TO LOOK

How can one find museums that may be of particular interest to youngsters? The American Association of Museums Directory should be available in public libraries. Travel guides for various areas, including the area where you live, usually list museums. The telephone directory, newspaper, and regional magazines are also helpful. The classified advertising pages of the District of Columbia alone include about fifty entries.

There are other ways to visit museums, thanks to the wonders of modern technology. If a vacation is out of the question this summer, consider surfing the Internet's World Wide Web—more museums and other educational institutions are coming on-line every day.

Some museums offer bulletin boards presenting text descriptions of various exhibits and activities, but others present truly elaborate tours. The Smithsonian, for example, has loaded fifteen hundred screens of material accessible through its home page. Browsers may visit the Museum of African Art, the Zoological Park, and many other sites. Numerous artworks are presented, as well as photos, tourist maps, and even sound samples of the folk music collection. The display is so complete that you can even stop by the museum shop electronically and

order souvenirs. To visit, point your Web navigator to either http://www.si.edu or http://www.si.sgi.com.

"It's very addictive," says Gregg Jackson, librarian for the Children's Museum of Indianapolis. While we talked by telephone, he "visited" the U.S. Library of Congress, describing the various graphic and pictorial offerings along the way. Jackson says he recently received a printout directory of museums now available via Internet: "It ran to 12 pages of very close type."

The problem with the Internet, as various professionals have mentioned, is that it is a wide-open, unregulated system. "There are some things on the Internet you wouldn't want children to access," says Jackson, referring to pornography. For that reason, the Indianapolis museum does not yet offer Internet access to visitors.

"We're considering options," Jackson explains, "such as downloading files of interest to create an exhibit of that material. Various experiments are under way throughout the museum field to develop systems that will control what the kids can access." For those with the equipment and software to do so, the World Wide Web links to museums can be accessed by typing in http://www.comlab.ox.ac.uk/archive/other/museums/html. That coding will reach international museums. For the U.S. directory, use http://www.comlab.ox.ac.uk/archive/other/museums/usa.html.

It challenges us to rediscover the child's way of experiencing the world.

For those who do not have home computers, library systems often offer access. Libraries in Maryland, for example, provide patrons with a connection free of charge at many branch locations.

Museums can also be accessed via various other Internet addresses, available through guidebooks such as *The Original Internet Yellow Pages*.

Another way to visit a museum is through computer software. Among the offerings are "Mystery at the Museums" ($59.95), a program for ages seven and over involving tracking down missing treasures at the Smithsonian, and "The San Diego Zoo" ($119.95), a program providing a guided tour of exhibits at that zoo, including vivid encounters with the various animals.

The CD-ROM option is also becoming available, but thus far, according to reviewer Nicholas Von Hoffman, "the results are fairly crude." He predicts the appearance soon of "new, gigantic-capacity CD-ROMs" that will correct this situation—but they will require a whole new drive system to play them. Though he terms it "clunky," Von Hoffman recommends a CD-ROM tour of the Hermitage Museum in St. Petersburg, Russia, available from RUSA/Cascade at 800-892-3338.

But what, no computer? Don't despair. It takes a bit of searching, but you can find museum tours on video cassette. A number of museums have issued them in series, including the Louvre in Paris, the Metropolitan in New York, and the National Gallery of Art in Washington. The Hermitage may also be visited via video cassette.

Given the rapid development of products in the field of electronic technology, there is no single source to be recommended as a guide to "museums without walls." The fact is that we are all in a "discovery" mode today, and even library personnel tasked to keep up with electronic offerings have more questions than answers.

The parent searching for alternative ways to visit museums will have to assume the same attitude recommended for youngsters looking at something new: Be curious, ask questions. The situation may seem daunting, but it also challenges us to rediscover the child's way of experiencing the world. ■

John Elvin writes about politics and culture for Insight *magazine and publishes a newsletter on antiques and collectibles.*

HANDS ACROSS

By Barbara L. Malone

Timely tips on how to resolve new-age and age-old conflicts with your neighbors.

When we pull into our driveway after a hectic day, our neighbor's friendly wave reminds us the world can still be a civil place. We have returned to a safe haven: our home and neighborhood. Here we can finally relax.

An ancient proverb says, "He who has a good neighbor has a good morning." Neighbors play a key role in our ability to enjoy our homes and property. Neighbors can help reduce crime, help in emergencies, and provide a sense of community. But nuisance neighbors can drive down property values and shatter our peace of mind.

Problems with neighbors may involve serious violations of the law or result simply from the fact that they have very different ideas about how to relax and enjoy their property. One neighbor may prefer quiet and solitude to unwind, while next door relaxation is defined as parties and an endless stream of visitors. Our perceived rights at home extend beyond our physical property lines. We have a psychological range of territory as well. Loud music or stinking trash can violate our sensory space and mental serenity.

Ben and Catherine shopped

THE HEDGES

JOHN HARRINGTON / THE WORLD & I

A FRIENDLY WAVE FROM YOUR NEIGHBOR WHEN YOU ARRIVE HOME AT THE END OF A HARD DAY CAN BE A WELCOME ASSURANCE THAT ALL IS WELL, AT LEAST IN YOUR LITTLE PART OF THE WORLD.

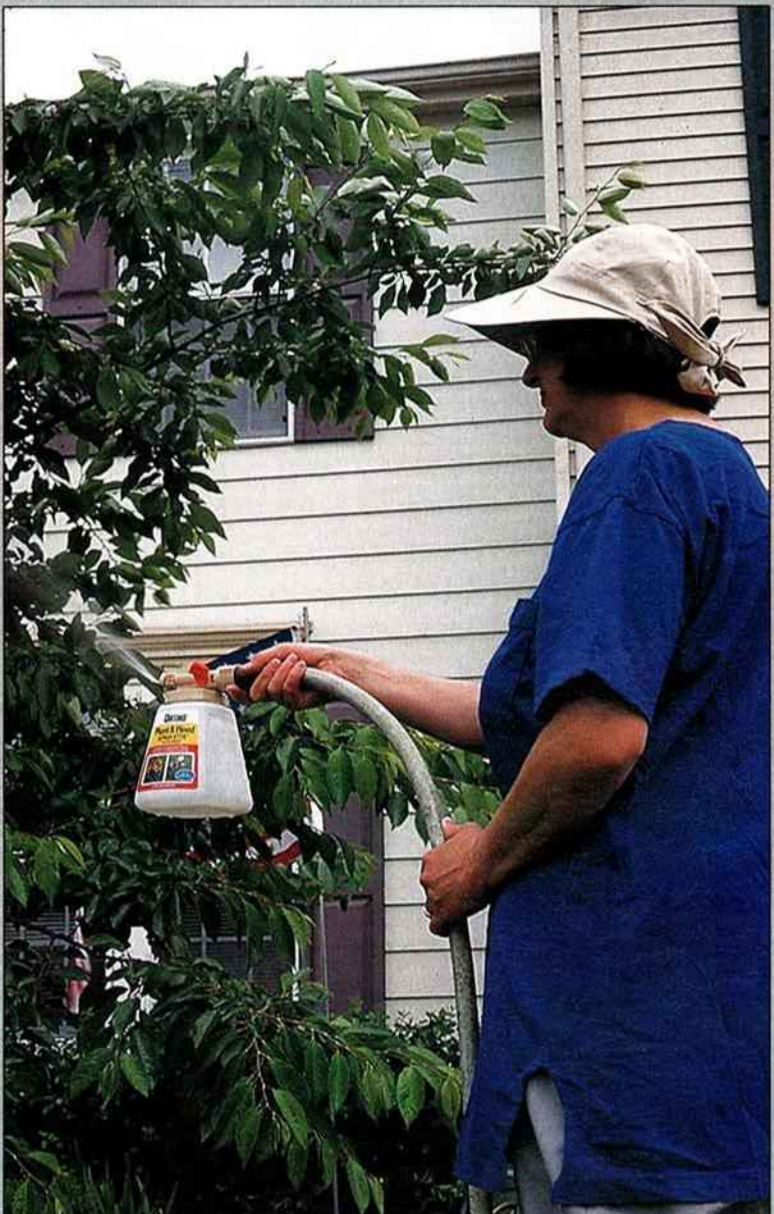
for months to find a house in a quiet, clean, and safe neighborhood. The first six months in their new home validated their choice as the right one—until the house across the street changed owners. One Saturday morning Catherine opened the front door and stared in disbelief. The house across the street had motorcycles parked at the curb, in the driveway, and on the lawn. Out of the neighbor's open garage door shrilled the grinding and roaring of motorcycle engines. The new neighbor had a hobby. He relaxed with a dozen or so other motorcycle collectors who polished, repaired, and rode their "hogs" each weekend.

Problems between neighbors are not limited to the modern era, but the number of reported neighbor disputes today is at a record high. The American Bar Association estimates that neighbor-versus-neighbor litigation accounts for up to 45 percent of the misdemeanor charges filed in U.S. courts each year. One study found that more than half of the surveyed population reported an annoyance with a neighbor that seriously interfered with their quality of life.

"A neighbor's barking dog, poorly kept yard, or other annoyance can produce chronic stress whose effects accumulate over time," says Gary Paquin of the University of Kentucky. Paquin has extensively researched neighbor conflict and found that these disputes can cause alienation, health problems, and even physical violence.

Conflict between neighbors can escalate until the content of the original grievance becomes nearly irrelevant. A recent news story of a 76-year-old man in Georgia who was sentenced to life in prison for fatally shooting his neighbor of forty years reported that the argument started over grass clippings. But these neighbors probably crossed the line of rational grievance to personal feud a long time ago. When we get into the "conflict breeds conflict" spiral, we have entered a reactive state of mind that can trap us—and tragic consequences may result.

Most problems with neighbors won't end in violence, but these everyday annoyances can



DAVID HILL / THE WORLD & I

A NEIGHBOR WHO OVERSPRAYS TOXIC CHEMICALS IS CREATING A HEALTH HAZARD THAT IS HARD TO IGNORE.

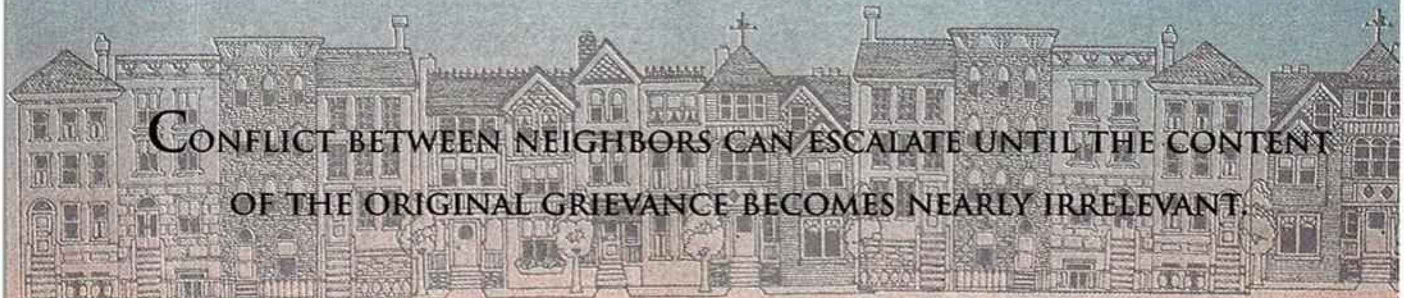
seriously impact our quality of life. "It's the hassles of life that seriously affect us," says Richard Farmer of Indiana University. Farmer's research found that neighbor annoyances were so frequent that he included neighbor relations as one of the key factors in his "Hassle Index," developed to measure stress and quality of life.

STEPS TO TAKE

Neighbor disputes range from the minor to the extremely serious. Leaves on our lawn from a neighbor's tree can be overlooked. But a neighbor who oversprays toxic chemicals that pollute the neighborhood with noxious gas is creating a health hazard that is hard to ignore.

There is no cookie cutter formula for handling a grievance with a neighbor. Problems this close to home involve personalities and can be emotionally charged. It's the age-old challenge of how to get other people to change their behavior. Here are some steps to take if a problem develops with a neighbor:

Assess the situation. Is it a one-time annoyance, or a persistent problem? Despite the statistics, most people never speak up to the offending neighbor about the problem. Either it is "not that bad" or we feel that the risk of upsetting the neighbor is not worth it. Paquin's research found that this first stage of a disputing process, the grievance, is significantly influenced by the cognitive process. We are more likely to be emotionally involved if we attribute the annoyance to intentional actions of the offender.



Conflict between neighbors can escalate until the content of the original grievance becomes nearly irrelevant.

But intentional or not, if a neighbor's behavior is unreasonable, then proceeding with an attempt to change it may be the only avenue to peace of mind or safety of the neighborhood.

Document and research. Documenting the nuisance and proving who is responsible are crucial to a satisfactory outcome. Take photos of the problem if possible. Keep written records of all events, correspondence, and information. "Research the law before you approach a neighbor," recommends attorney Cora Jordan, author of *Neighbor Law*. Most neighbor-related issues are governed by local city or county ordinances, which can be researched at libraries or county offices.

Talk with the neighbor. Hopefully, just calmly advising a neighbor of the problem will remedy the situation. Have a copy of the law to present to him if he isn't willing to change the situation. If the problem also affects other neighbors, it may be more effective to approach him as a group. Depending upon the situation, a letter may be appropriate.

The language used to communicate this first contact about the grievance can set the tone for positive resolution or escalation of conflict. Deborah Tannen of Georgetown University emphasizes in her work on linguistics and conflict that starting sentences with "you" sets up a defensive reaction from the start. Instead, explain the situation in terms of "I" statements, giving information about feelings and how the offending problem has caused lack of sleep, damage to property, and so forth.

The higher authority. Unfortunately, being on the right side of the law and appealing to the neighbor's rationality may not solve the problem. At this point a neutral third party may be necessary. You can contact appropriate government agencies for help or call city council representatives to ask how and where to file complaints.

Sometimes an "expert" can help a neighbor change his behavior. Robert described his reluctance to talk to a neighbor who overwatered his lawn, which was rotting a boundary wood fence. "I'd never even talked to the neighbor before," he said. "I didn't know how he would react." In this case, the repairman from the fence company talked to the neighbor and showed him the swollen, waterlogged posts. The overwatering stopped.

Increasingly, neighbors who cannot solve problems on their own are turning to mediation services to help both parties reach a compromise. Mediation costs a fraction of what a lawsuit does, and the results are usually successful. The National Institute for Dispute Resolution estimates that four out of five cases in mediation reach agreement. Mediation services can be found in the yellow pages or by referrals from the American Bar Association or nonprofit dispute-resolution programs. Mediation services are sometimes provided by homeowner or property associations to their members.

Arbitration is another alternative for settling neighbor disputes. In arbitration, the decision is placed in the hands of the third party, unlike mediation in which both neighbors participate in formulating an agreement. Arbitrators are usually lawyers or retired judges, who make a decision that is often legally binding. Faster and cheaper than court proceedings, arbitration services can be found by contacting the American Arbitration Association.

The last resort. If a neighbor refuses to participate in any attempt to resolve the situation, the last resort is the court system. If you are seeking a relatively small amount of money for damages to your property, consider small claims court, advises attor-

JOHN HARRINGTON / THE WORLD & I

NO NEIGHBORHOOD NUISANCE CAN MAKE PROPERTY VALUES PLUMMET AND TEMPERS SOAR AS DRAMATICALLY AS THE NEIGHBOR WHO COLLECTS JUNK AND TRASH IN HIS YARD.

ney Mark Warda, author of *Neighbor vs. Neighbor: Legal Rights of Neighbors in Dispute*.

Suing your neighbor in a civil law suit is the most expensive and slowest way to stop a neighbor problem. "Sometimes just the threat of a lawsuit can convince your neighbor to solve the problem," says Warda, "but a civil law suit can easily end up costing $10,000 or more."

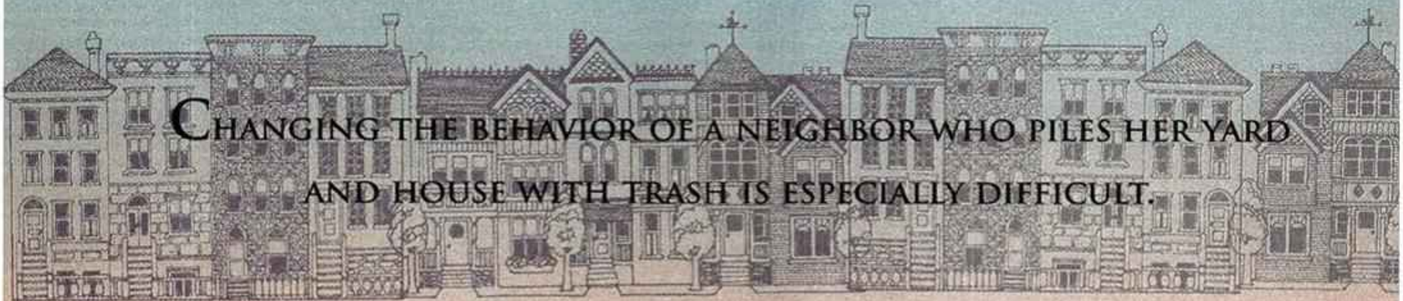
COMMON NEIGHBOR COMPLAINTS

Although neighbor grievances run the gamut—from complaints about pink houses in beige neighborhoods to explosives being made next door—some of the most common complaints involve animals, noise, trees, and blighted property.

All creatures great and small. We Americans love our pets. But we may not love our neighbor's animals if they foul our lawns, bark all night, or have the potential to injure us or our children. One person in Virginia kept dozens of snakes that frequently escaped into the neighborhood. A group of Atlanta neighbors had to circulate a petition to get rid of a 180-pound mountain lion that another person kept in his backyard.

The typical problem with neighbors' animals involves cats and dogs. Most towns have several ordinances designed to deal with problems created by animals, or more accurately, by irresponsible animal owners, says attorney Jordan. Almost all areas of the country have leash and pooper scooper laws. Also, the types of animals and numbers allowed per household are usually limited by local city or county ordinances.

Barking dogs are one of the



CHANGING THE BEHAVIOR OF A NEIGHBOR WHO PILES HER YARD AND HOUSE WITH TRASH IS ESPECIALLY DIFFICULT.

most frequent annoyances between neighbors. While noise ordinances usually regulate barking, it may be difficult to prove which dog is barking. One man wasn't convinced that his dog was barking all day when he was at work until the next-door neighbor videotaped the dog over the backyard fence.

Silence is golden. A fact of modern life is that we are constantly subjected to noise—multimedia, traffic, construction—so when we finally get home for the evening or weekend many of us expect quiet.

Noisy neighbors can be one of the most trying problems to address. Most areas prohibit noise along the lines of decibel level and time of day. The key word is *reasonable*. The drone of a lawnmower at 11:00 A.M. is reasonable; at 11:00 P.M. it becomes unreasonable.

Whether or not a noise is unreasonable can be very subjective, as in the case of two neighbors who went to court over a bouncing basketball. One sued for $2 million, saying the noise of dribbling the basketball was causing "emotional stress and loss of sleep." The other countersued, claiming the first had grabbed a garden hose and soaked his boys, who were playing basketball.

The root of the problem. Trees provide shade, beauty, and bountiful fruit. They also fall on people and houses, block views and light, clog drains with leaves, and damage structures with their roots. The problems with trees usually fall into one of three areas: ownership, encroachment, and damage.

"It is accepted law in all states that a tree whose trunk stands wholly on the land of one person belongs to that person," says Jordan. Ownership includes all fruit growing on the tree, even if it falls into another person's yard. When a tree grows on a property boundary line, it is co-owned and neither owner can cut it down without the permission of the other.

But what if a neighbor's tree has limbs that are dangerously hanging over your roof? Is the neighbor responsible for trimming the tree? In some states, yes, others no. What if your neighbor takes it upon himself to trim your tree because it is blocking the sun from his garden? Again, the laws differ. Tree law can be as tangled as the trees in the case of two neighbors who disputed for years. Each owned a tree that had grown over the other's property line. The limbs had entwined and the smaller tree was being strangled by the larger one. But trimming the larger tree to the property line would have killed it. Through mediation, the neighbors agreed to share the cost of custom expert trimming that saved both trees. Before you complain about or cut a tree, get a tree expert's inspection and research the law, advises Jordan.

One man's trash is another man's treasure. No neighborhood nuisance can make property values plummet and tempers soar as dramatically as the neighbor who collects junk and trash in his yard. Neighbors in an exclusive Chicago suburban area fought for years to get a neighbor to clean up the disemboweled cars, broken photocopy machines, old tires, and household garbage from his front and backyard. In addition to being an eyesore, junk collections breed cockroaches and rats and are fire hazards.

The recommended approach to the trasher in the neighborhood is to complain to the health and safety department. It can impose fines and issue orders to clean up, but resolving the situation can be a long and frustrating process.

Changing the behavior of a neighbor who piles her yard and house with trash is especially difficult. "Extreme cases of trash

DISPUTES OVER TREES ARE COMMON CONFLICTS. WHILE TREES PROVIDE SHADE, BEAUTY, AND FRUIT, THEY CAN ALSO FALL ON HOUSES, BLOCK VIEWS, AND DAMAGE STRUCTURES WITH THEIR ROOTS.

hoarding may be a symptom of an obsessive-compulsive disorder," says Dr. Alexander Bysytitsky, a clinical psychiatrist at the UCLA Neuropsychiatric Institute. In one case neighbors teamed up and successfully sued in small claims court. The offending neighbor halfway cleared out the front yard but increased the "collection" in the backyard and in the house.

A successful businessman and community leader whose neighbor's yard is strewn with debris vented his frustration with: "If it were legal to kill her, I would."

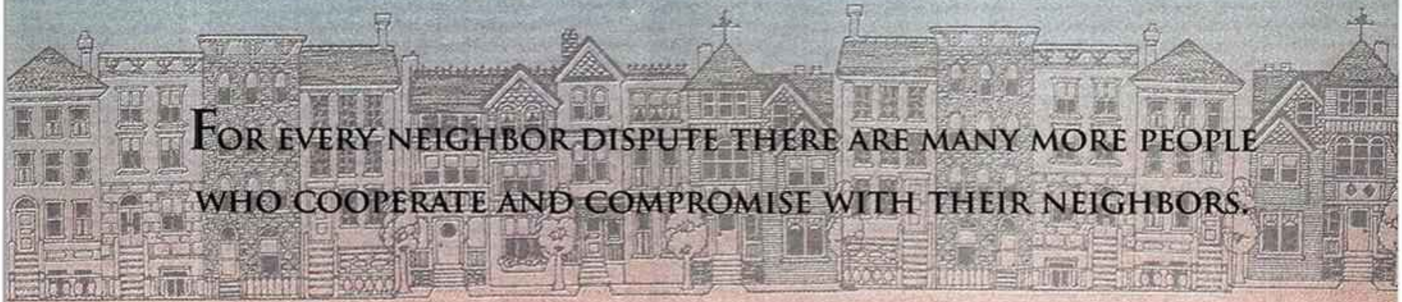
TERRITORIAL OR CULTURAL IMPERATIVES?

What is it about problems with neighbors that makes well-educated and otherwise rational people ready to resort to fisticuffs?

Some theorists see territorial instincts as explaining in part why neighbor differences can become so emotionally intense. Even in our contemporary world we "mark" our physical territory and defend it against "intruders." H. Hediger wrote about the resemblances between hedges, fences, and flower beds in human communities and territorial boundaries in the animal kingdom. Neighbor conflict is unique in the sense that both parties are on home turf. The "home team" mind-set may encourage a fight to the finish.

Other theorists reject the "instinct" explanation and cite culture as the major factor in the level of neighbor conflicts in America. Amitai Etzioni, author of *The Responsive Community*, writes that Americans can't seem to find a middle ground between superficial contact and angry confrontation. Community is built on dialogue, not policy.

Americans have a strong heritage of expressing privacy rights on a physical level. Even though we live in clusters around major cities, our history and culture have



For every neighbor dispute there are many more people who cooperate and compromise with their neighbors.

developed over an expansive geographical area compared with many cultures.

The popularized theory that overcrowding leads to increased aggression doesn't offer a complete answer when cross-cultural comparisons are made. In Japan, for example, population density is very high compared with ours, but Japan's rates of interpersonal conflict are much lower. The dimension of cultural perception, however, may add some insight. Our definition of the situation, our perception of and sensitivity to "trespassing" on our "private property," is what we respond to more than the actual level of physical density in which we live.

Much sociological and philosophical theory has classically attributed lack of neighborliness to the decline of community as societies industrialize and modernize. Disraeli wrote, "Modern society acknowledges no neighbour."

Industrialization set the conditions for increased mobility. In an industrial society we have to follow the jobs instead of planting ourselves in a relatively stable farming community, as was done in the past. Today nearly one in five Americans change their residence each year, so for many, neighbors are virtual strangers. With modern communications, our personal relationships don't need to be based on physical proximity.

Many of us live in "mass neighborhoods," in which there are no mechanisms of integration. Contemporary residential areas rarely have public or town squares where neighbors can meet and associate. Today there is yours and mine, but no ours.

Community must lie in the individual as well as in a place. Yet idealizing traditional society as one in which everyone had a high commitment to community and got along well with their neighbors is unrealistic. After all, most property rights and nuisance neighbor laws are continuations of English common laws or enactments that evolved out of nineteenth-century neighbor problems.

Despite cultural or biological influences, individuals have free will and can make personal choices. For every neighbor dispute there are many more people who cooperate and compromise with their neighbors.

"I'm a perfectionist about the lawn," one man admitted. So instead of "going ballistic" over his elderly neighbor's crabgrass, he offered to pay for gardening. The "perfectionist" spent $20 more per month for the gardener to take care of both front yards.

Some neighborhoods are making an effort to build a community. Block parties are on the rise. One woman, with her neighbors' approval, built a patio in the front yard instead of the back so neighbors could meet more naturally. She built and the neighbors came. Perhaps the best way to have good neighbors is to be one ourselves. ■

Additional Information

American Arbitration Association
140 W. 51st St. New York, NY 10020
212-484-4000

American Bar Association
Committee on Dispute Resolution
1800 M St. NW
Washington, DC 20036
202-331-2258

National Institute for Dispute Resolution
1901 L St. NW, Ste. 600
Washington, DC 20036
202-466-4764

Cora Jordan, *Neighbor Law*, Nolo Press, Berkeley, California, 1994.

Mark Warda, *Neighbor vs. Neighbor: Legal Rights of Neighbors in Dispute*, Sphinx Publishing, Clearwater, Florida, 1991.

Barbara L. Malone is a free-lance writer based in the Los Angeles area.

TABLE OF CONTENTS

AT THE EDGE

147 Radio Wave Vision
Hank Hogan
A small, innovative radar that sends out millions of low-power, short-range pulses per second seems destined to be incorporated into devices ranging from toilets to mine detectors.

154 Uncommon Pathway to Uncommon Drugs
Gail Dutton
The discovery of a fungus that produces the anticancer agent taxol has opened a promising new approach to obtain rare drugs on a commercial scale from microbes that grow on plants.

NATURE WALK

162 Reptile in a Box
Karen J. Donnelly
The box turtle, once a common inhabitant of American woodlands, is threatened by its exploitation by the European pet trade.

CRUCIBLES OF SCIENCE

168 Beyond the Green Revolution
Dave Tenenbaum
Having revolutionized agricultural production 25 years ago, this global research center for wheat and maize continues to fight hunger through genetic innovation.

SCIENCE ESSAY

176 Hitler's Gift to America
Andrew Szanton
Emigrés from the great European scientific community, which was shattered by the führer in the 1930s, catapulted the United States into world leadership in science.

Radio Wave Vision

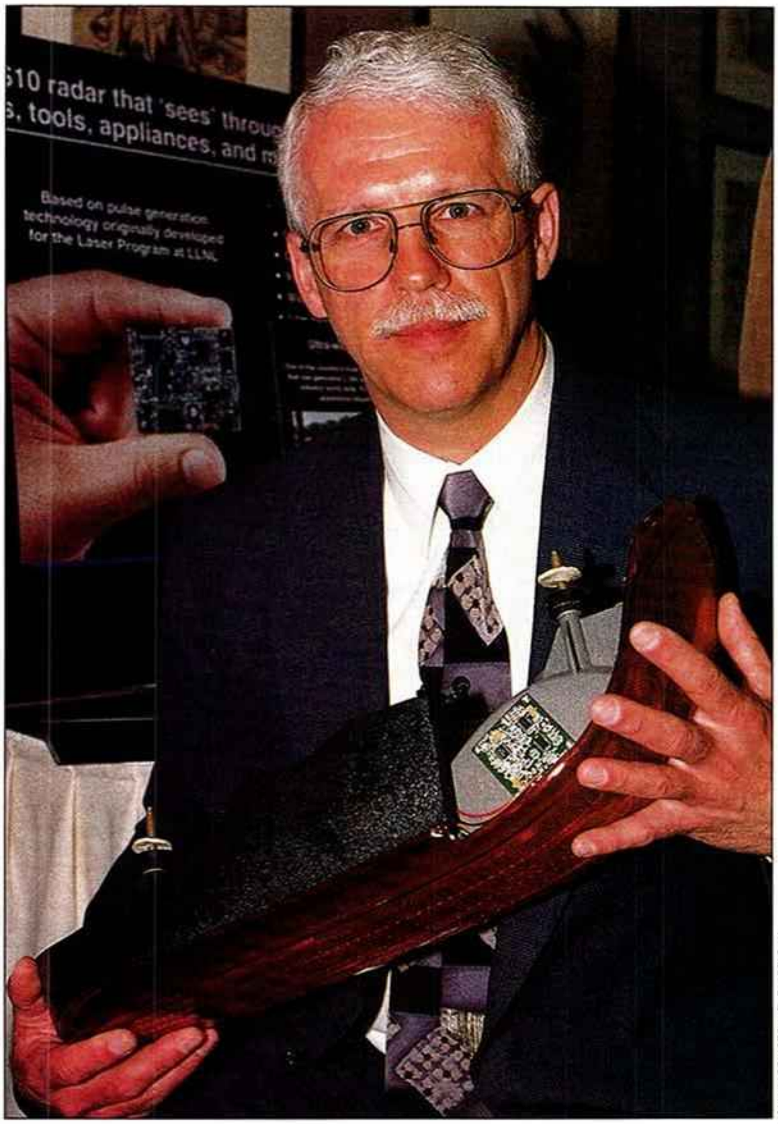
Hank Hogan

An inexpensive miniradar that "sees" through wood, concrete, soil, and flesh may affect society at least as much as the laser but in a shorter time.

Radar technology isn't something that usually excites a lot of interest, unless it's from a driver caught speeding by a radar gun. But when Lawrence Livermore National Laboratory (LLNL) engineer Tom McEwan announced he'd invented a rugged, lightweight, low-power, low-radiation radar that cost only $10, his phone and those at LLNL's technology transfer office started ringing off the hook. Over the past two years, there have been more than 2,000 inquiries from businesses scattered over 15 countries looking to license the technology from LLNL.

Academics, too, are interested in this technological revolution. "We're getting scads of calls from grad students who want to learn about it. They want to teach courses on it," says McEwan. "It's kind of amazing."

Behind this excitement is the fact that McEwan's micropower impulse radar, or MIR, accomplishes for $10–15 using off-the-shelf components what formerly required equipment that cost up to $40,000. That low cost, coupled with MIR's extremely user-



■ **The soon-to-be-ubiquitous radar of tomorrow is here today. Tom McEwan, inventor of the microimpulse radar, holds a prototype section of a car bumper with the radar (on the circuit board) installed on it.**

JOHN HARRINGTON / THE WORLD & I

friendly characteristics, has opened the floodgates of commercial interest.

"This is really the very first time that we have had a practical, low-cost, small-size radar," notes Adi Lieberman, director of corporate development at MIR technology licensee Amerigon, Inc. "What this means is that for the very first time you can think about putting radar into ordinary consumer products."

Some consumer products that might take advantage of MIR technology include automobiles that use radar to warn of collisions, construction tools that use radar to sense hidden steel, and washing machines and toilets that employ radar to monitor water levels. There are many other possible applications.

MIR could also play a vital role in detecting buried land mines. That's important because there are an estimated 100 million leftover buried land mines that kill or maim 1,000 people a week worldwide. There's also the possibility of using MIR to guide rescuers to those trapped alive in destroyed or collapsed buildings.

Medical applications include the ability to see a beating heart in real time with portable equipment, the capability to monitor heartbeat and breathing of patients in hospitals and children at home, as well as the capacity to detect fractures without the need for X rays.

"I feel this is going to be one of the most revolutionary things to hit medical science ever," comments A. Elaine Ashby, a doctor who's the medical engineering liaison at LLNL.

The range of potential applications for MIR is so extensive that LLNL is selling licenses to apply MIR technology in 14 distinct areas, including entertainment, security and energy conservation, speech technologies, radar camera, and underground detection. Each license costs $100,000 and includes nonexclusive rights to develop MIR-related products in the area. LLNL also claims royalties on

income from the sale of such MIR-based products.

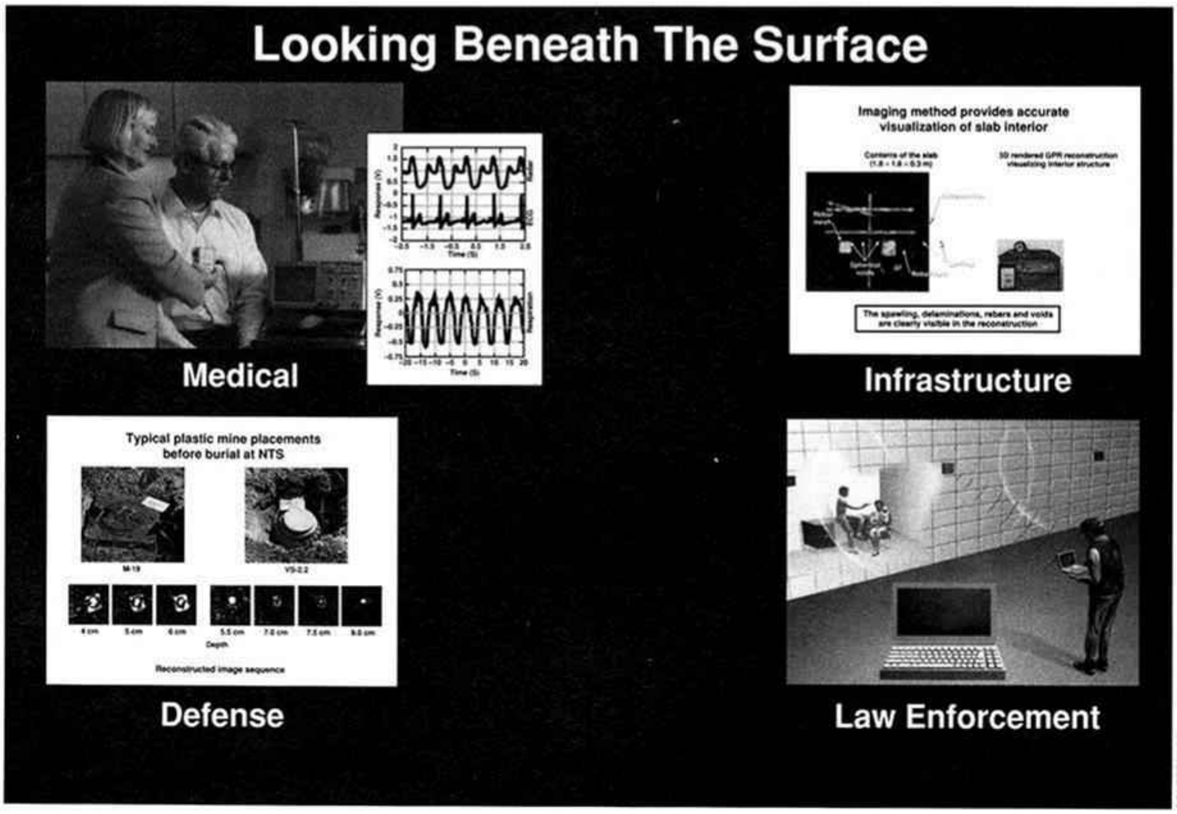
In the blink of an eye

Just how does MIR work? Micropower impulse radar is a case where a technological advance is a result of going back to the future, and it's also an instance where less is more.

The original and most commonly used radar (the word is derived from radio detection and ranging) is a pulse echo radar, which sends out a pulse and then listens for the returning echo. By measuring the time between the pulse's departure and the echo's return, it's possible to determine the distance of the object that caused the echo. This is basically the same technique employed for sonar in submarines.

The only problem with this simple approach is that it's best if the echo doesn't return while the pulse is being broadcast. That's because both the outgoing pulse and the returning echo will be at the same wavelength, and detecting the returning echo will be very difficult because the outgoing pulse is so much stronger than the incoming echo. The predicament is that the radio pulses that form the basis for radar travel at the speed of light. That's 300,000 kilometers, or 186,000 miles per second. That means that to detect something that's a mile away, the pulse has to be less than 1/100,000 of a second long. Otherwise, the outgoing pulse will prevent the returning echo from being detected because the echo will return while the pulse is still transmitting.

If the object of interest is only 10 feet away, the pulse has to be less than 20-billionths of a second long. To detect something that's an inch away, the pulse has to be less than 200-trillionths of



■ **The microimpulse radar is a natural for monitoring objects behind a solid surface. Representative objects include (clockwise from top left) a beating heart, objects and features inside concrete, people behind walls, and buried mines.**

COURTESY OF LAWRENCE LIVERMORE NATIONAL LABORATORY

If the object of interest is only 10 feet away, the pulse has to be less than 20-billionths of a second long.

a second long. Just as important, the pulse detector must spot those returning echoes quickly enough to make the whole scheme work. Solving those problems is at the heart of what makes MIR possible.

"The advance here is really to increase the speed of the device, or to shorten its pulses enough so that a short pulse is sent out. Then you're free to start listening," notes McEwan.

Interestingly, this key advance in pulse detection didn't come out of a radar research program. While working at LLNL on a nuclear fusion program, McEwan had to come up with detectors that could accurately record events that took place very rapidly. He did that, producing a digitizer that at a rate of 33 billion samples a second could capture useful information from neutron fluxes, X-ray bursts, and light flashes.

The principle behind the other key part of MIR can be understood by thinking about antistealth radar technology. A stealth airplane is very hard for radar to detect, but it is quite easily seen by normal vision. This fact points out that an object that's visible at one frequency (visible light) may be almost invisible at another (radio waves). So a radar that sent out a signal across many frequencies might be able to pick up something that a radar operating at one frequency could not.

This spread spectrum approach requires that the radar operate across a window of frequencies. The task can be understood through a technique known as a Fourier transform, in which the superposition of sine waves at many different frequencies is mathematically equivalent to the regular output of a single pulse. The narrower the pulse is in time, the more different sine wave frequencies have to be superimposed to create that pulse. So a spread spectrum radar could in principle be mimicked by an impulse radar. Working with this concept, McEwan was wrestling with the problem of how to make impulse radar practical.

"As I was working on a fairly expensive impulse radar, it hit me like a flash," he recalls. "Where the expensive one was taking a whole lot of samples, if I took just one impulse sample at a time and dumped all this expensive equipment, it would be really simple."

Keeping it simple

McEwan's single-sample impulse radar is simple indeed. Requiring only one circuit board, the radar has an antenna, which is a wire hooked up to a garden-variety silicon transistor. It also sports a receiver and the digitizing circuitry developed by McEwan.

The MIR McEwan constructed operates in this way. At a signal, the output of the transistor connected to the antenna swings very rapidly from, say, 0 to 5 volts, and the antenna wire vibrates electronically and sends out radio waves, much like a plucked guitar string would vibrate and send out sound waves. The receiver picks up the returning echoes, and the single-sample digitizer converts each one into a single, digitally useful high or low output (in essence, a 1 or a 0).

MIR samples the pulses returning from a specific distance by opening an electronic gate on the receiver; this occurs only at moments determined by the length of time required for the signal to travel the specified length of the round-trip from transmitter to receiver. When the gate is open, echoes are detected. When the gate is closed, nothing is detected. If an object is too close or too far away, the echo returns while the gate is closed. This gating means that the radar can be set to "see" objects at a specified range. Depending on antenna size and power, MIR can look out up to 200 feet. Within those 200

feet, the gating means that the MIR only detects objects in a precise region, which can be pictured as the skin of a balloon of specified size.

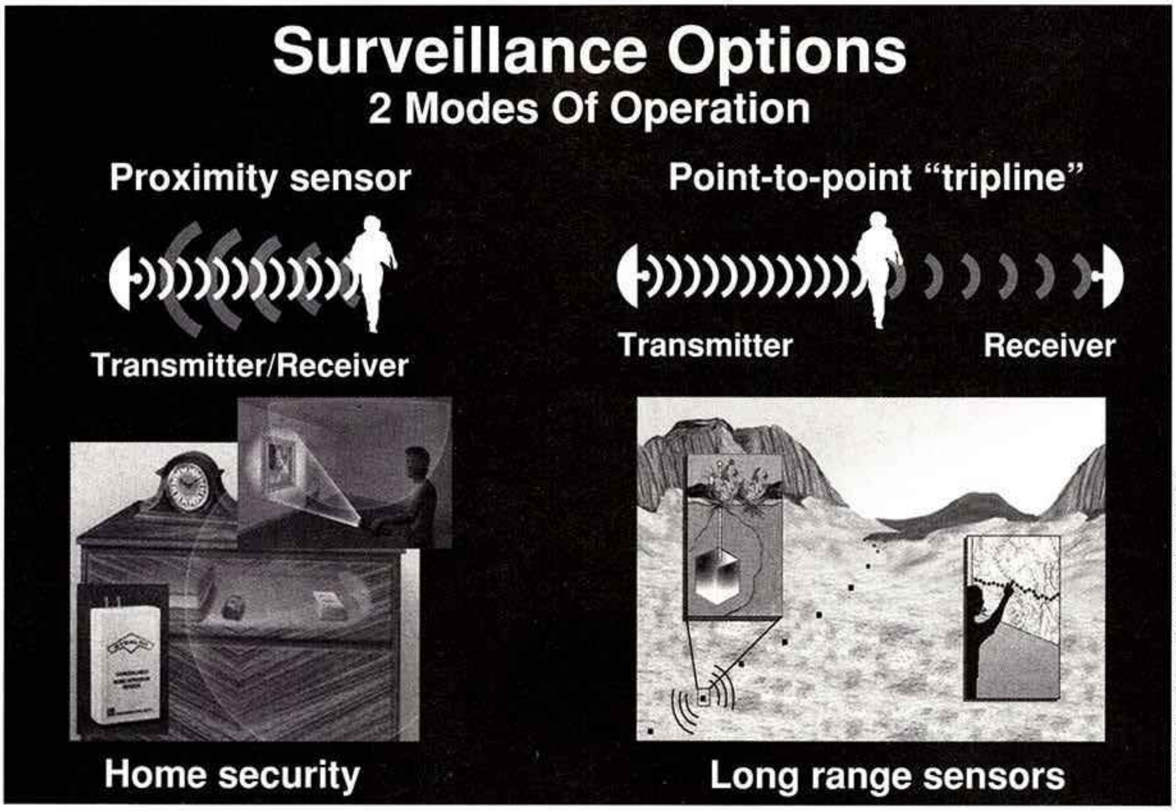
Even though the antenna sends out pulses at the rate of a million times a second, the shortness of the pulses means that the radar is only on for a thousandth of a second. The rest of the time, the antenna is quiet and no pulses march out from it.

The combination of short pulses, plenty of dead time, and limited range means that McEwan's MIR is very stingy with power. As McEwan notes, "The transmit power is one microwatt. One microwatt is a number that is frequently associated with the signal level of what you receive back from a radar, not what you're sending out."

This low transmit-power level makes for difficulties, because any echo will necessarily be much weaker than the outgoing pulse. The power problems are alleviated by adding up echoes. That is, the MIR requires a thousand or so echoes to be received from the same point before the radar actually detects an object. For many everyday objects, which don't move significantly in a thousandth of a second, there is no problem in accumulating 1,000 echoes.

The MIR turns out to be quite inexpensive to build and very rugged because it is much simpler than current radars. Instead of sending out a pulse and listening for an echo, most of the radars people encounter today send out a continuous signal and exploit the Doppler effect, the change in frequency brought about by the motion of an object. The classic case is that of a train whistle, which sounds higher in pitch when the train approaches and then lower in pitch as the train recedes. A radio wave, bouncing off that same train,

■ **The microimpulse radar can also function as a proximity sensor (left) for detecting intruders in a house, or, in series, as a point-to-point "trip line" (right) for detecting intruders over a long boundary.**



COURTESY OF LAWRENCE LIVERMORE NATIONAL LABORATORY

Even though the antenna sends out pulses at the rate of a million times a second, the radar is only on for a thousandth of a second.

would also show a shift in frequency.

Doppler radars send out a wave continuously and look at the frequency of the returning echo. By examining the Doppler shift, it's possible to tell how fast an object is moving, and by looking at the strength of the echo, the distance to the object can be guessed.

However, continuous wave Doppler radars require equipment to generate the output wave and more equipment to look for frequency shifts. A continuous wave also implies continuous power consumption. And because it doesn't have a gate, a continuous wave radar picks up echoes from a wide spectrum of ranges. A fly at an inch may reflect as much energy and appear as big to the radar as a truck at 100 feet.

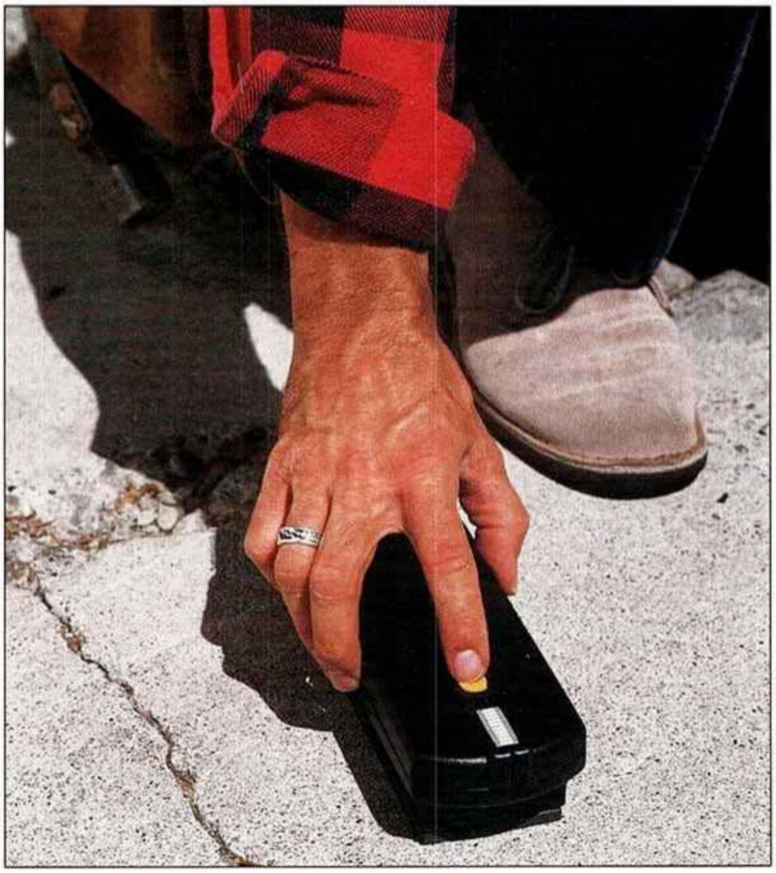
The MIR that McEwan invented can't be used to track thunderstorms or guide airplanes into an airport. But then neither can a car be used for transporting the girders of a bridge. McEwan figures that, with its low power, inexpensiveness, ruggedness, and range gating, MIR will be incorporated into daily life even though airport radar has not been.

"It works as a very nice proximity sensor in a way that nothing else can," he says.

Radar for the masses

What can be done with an inexpensive, low-power radar that only works for a distance of 0–200 feet? Based on the commercial interest expressed in the MIR after it was announced in 1994, there will be quite a few applications.

Part of the magic of radio waves arises because they not only pass through most objects but also are partially reflected by



COURTESY OF ZIRCON CORPORATION

■ The first commercial device incorporating the microimpulse radar is this hand tool for locating reinforcing steel inside concrete. The manufacturer plans to bring out a whole line of radar-based hand tools.

each object they pass through. Based on these partial reflections and using its range gating and precision electronics, MIR is able to differentiate a surprising number of materials and/or movements, even though they may be hidden behind an opaque surface.

One of the first companies to license MIR technology from LLNL is Zircon Corporation of Campbell, California. Zircon manufactures a construction tool that senses studs in walls. This fall, the company is planning to introduce an MIR-based tool that will look inside concrete for reinforcing steel. Other applications will look inside walls for pipes and wires, and there are plans to produce units that look for pipes in the ground.

Amerigon of Monrovia, California, and Allied Signal of Morristown, New Jersey, are working to put several MIRs in every car. One use would be as a backup warning system. Another would be as side blind-spot radar for a lane-changing warning system. A third would be to make an intelligent cruise control, enabling the vehicle to automatically adjust speed to match that of traffic around it. Work is under way to use this idea to implement a transportation concept known as platooning, in which squads of cars would link up to form a very closely spaced convoy and in this way increase the traffic-carrying capacity of a road.

"Another application is having some kind of precollision crash sensor," adds Amerigon's Lieberman. "Basically, what we're talking about is where the radar is able to sense an impending collision before the physical crash sensors, and so you might get an earlier fire/no fire decision of your air bag."

It's expected that the first MIR will appear in 1998 automobile models as part of either the backup or collision warning system. Automakers from the United States, Europe, and Asia already have prototypes and are looking at Amerigon's systems. Part of the development effort, as well as part of the delay in implementation, is due to the fact that a warning system has to work flawlessly over the life of the car if it is to be useful.

One application that might not be instantly obvious is found in fluid-level monitoring. Examples of the current mechanical systems can be found in any toilet, and as anyone who's tackled a do-it-yourself plumbing job involving a cranky float can attest, there has to be a better way. The MIR, with its potential as a solid-state fluid-level sensor that's accurate to fractions of an inch, may provide that better way. Those companies whose livelihoods depend on fluid-level monitoring foresee huge changes coming.

"The general manager of a $2 billion a year company [that sells industrial-scale fluid-level monitors] said this is going to change

JOHN HARRINGTON / THE WORLD & I

■ Both the crankcase oil dipstick in cars and the float in toilet tanks are likely to be replaced by a radar-based fluid-level monitor, possibly like the prototype held by this girl.

"I see this as having a really big impact in the very near future in terms of diagnosing abnormal heart rhythms."

everything in his industry. All the customers are going to change. Pricing structures, everything's going to be changed because of this stuff," says McEwan.

As the price of the radar chip comes down, it is easy to envision an MIR dipstick replacing the crankcase oil dipstick in every car. "We'll probably have meters in the dashboard that will show the level of the fluids in the car," says William Grant, who is assisting McEwan in transferring the technology to industry.

Blips on the horizon

Other potential applications include such humanitarian efforts as buried mine detection or search-and-rescue operations in collapsed structures. An MIR device could look at various depths within a collapsed structure and detect any motion, including breathing or the beating of a heart.

Perhaps the most interesting application of MIR will be in medicine. Because the radiation level of an MIR is hundreds of thousands of times less than that of a garage door opener, the MIR is likely to be classified as a medically harmless diagnostic device. Because the MIR can peer inside people without the need for invasive surgery and can see motion, it offers medical professionals unparalleled diagnostic power.

"I see this as having a really big impact in the very near future in terms of diagnosing abnormal heart rhythms. If you look at an EKG, you try to figure out how the heart is beating and moving, whereas if you use the MIR you can actually see it," notes LLNL's Ashby.

There are other medical applications, including the automatic monitoring of infants for the onset of sudden infant death syndrome. Hospitals could use the same technique to monitor patients for heart or breathing problems. Other uses might be in fetal monitoring during birth or as a low-radiation replacement for the X-raying of fractures. At present, it's unclear when medical applications of MIR will be commercially available.

An important point in all this commercialization is that the circuitry in McEwan's version of MIR can be collapsed onto a single chip. That is not yet being done, because the volume of MIRs needed now is not great enough to justify the initial R&D cost for putting MIR on a chip. However, such chips will almost certainly be made once MIR products are put into volume production. When that happens, the cost of the MIR itself will be cut to the $1–2 range.

MIR will likely have uses that are not yet foreseen. When the laser was invented, it was an exotic technology characterized as a solution in search of a problem. Today, lasers are commonplace and quite inexpensive. Radar, through the MIR, may follow the same path.

"It's amazing," says McEwan. "It seems every week there is a visiting delegation from a new industry. And they all want to know if MIR can be applied to meet their needs. Often it can, but then I have to take the time to develop a prototype. Right now, I have a list of more than 20 such ideas that I just haven't had time to develop.

"In terms of impact on society, it's going to be at least as much if not more than the laser," predicts McEwan with calm assurance. "But in terms of commercialization and all that goes with it, the laser took a really long time to get off the ground. This [MIR] is already something that's being made with off-the-shelf parts. And we're talking to companies that want to have products out two months from now." ■

Hank Hogan is a free-lance science writer based in Austin, Texas.

Uncommon Pathway to Uncommon Drugs

Gail Dutton

The discovery of a fungus that produces the anticancer agent taxol has opened a promising new approach to obtain rare drugs on a commercial scale from microbes that grow on plants.

The Pacific yew tree is wanted, dead and alive! Alive, because it is a rare evergreen growing in forests that are home to the endangered spotted owl. And dead, because its inner bark is a natural source for taxol,* a potent drug in the treatment of certain refractory cancers, particularly breast and ovarian cancers. Stripping the bark kills the tree. Yet the tree's growth rate is too slow and the yield of taxol per tree is too small to meet the increasing demand for the drug. This poses the dilemma of obtaining enough taxol for cancer patients without eradicating the trees and pushing the spotted owls closer to extinction [see "The Pacific Yew and Cancer," THE WORLD & I, January 1991, p. 335].

Taxol can now be synthesized chemically, either from scratch or from precursors extracted from the needles of the European yew. But methods involving chemical synthesis are expensive. By contrast, the approach that appears to hold the greatest commercial promise comes from the discovery of a novel fungus that grows on the Pacific yew and produces taxol independently of the tree.

* Taxol is now a registered trademark for the drug produced by Bristol-Myers Squibb. The generic name is paclitaxel.

Plant-microbe interaction

The Pacific yew, called *Taxus brevifolia*, grows in damp, dark areas where the abundance of water molds (specifically, *phycomycetes*) could cause the roots to rot. But the taxol produced by the yew tree adversely affects these molds, making it "next to impossible to find a root that is rotted by these molds," according to Gary Strobel, professor of plant pathology at Montana State University. "Fortunately, taxol affects human tumors in the same way it affects water molds, freezing them in their tracks."

The yew tree plays host to numerous microorganisms. Perhaps 30 to 50 different fungi grow on a single limb, giving hardly any external indication of their existence. Many of these microbes, called *endophytes*, have a symbiotic relationship with the tree, receiving nutrients from it in exchange for protection against disease-carrying bacteria or fungi. Yet our knowledge of most of them is extremely limited.

A few years back, Andrea Stierle, then a postdoctoral researcher in Strobel's laboratory and now on the faculty at both Montana State University and Montana Tech, made the startling discovery that a particular fungus growing on a yew tree in northern Montana appeared to synthesize taxol on its own, even when grown apart from the tree. After two years of painstaking research, she gathered enough supportive evidence and published her findings. The taxol-producing fungus, named after her as *Taxomyces andreanae*, has now been found to synthesize other taxanes (compounds that contain the four-ring structure of taxol) as well.

How would it benefit a fun-

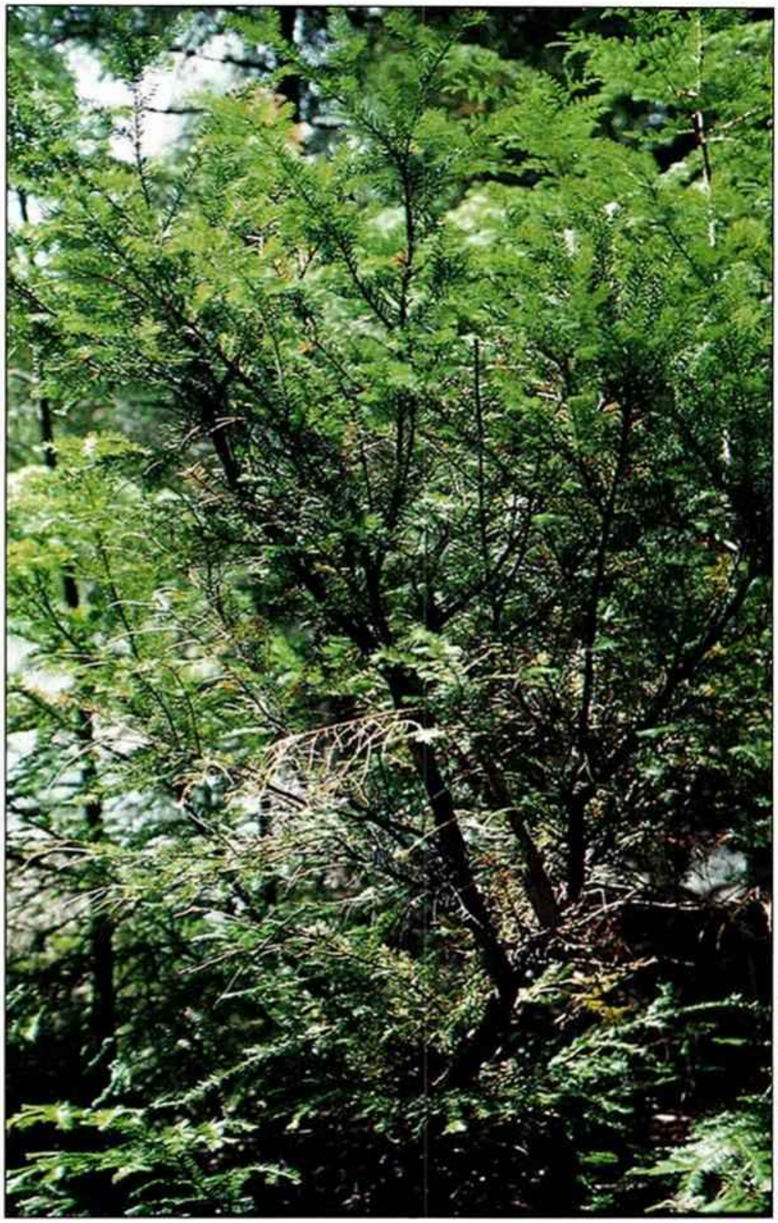
gus to produce taxol? There are a lot of competing microbes on the leaves of plants. "If microbes are to survive, something must keep away the competitors," notes Strobel. For *Taxomyces andreanae*, the ability to produce taxol probably helps it survive the competition from other microbes, especially water molds.

This is by no means the first known case of a drug synthesized by a fungus. The penicillin and cephalosporin families of antibiotics are well-known examples of drugs derived from fungi [see "A Magical Mold," THE WORLD & I, July 1995, p. 166]. A fungus called *Phoma*, also found in the yew tree, makes an antibiotic that inhibits the growth of pathogenic microbes, thus helping to keep the tree healthy. In addition, the bacteria *Pseudomonas syringae*, found on lilacs, produce syringomycin and pseudomycin, which help protect lilacs from fungal infections. However, the search for medically beneficial substances produced by endophytic fungi is just beginning.

Gene transfer?

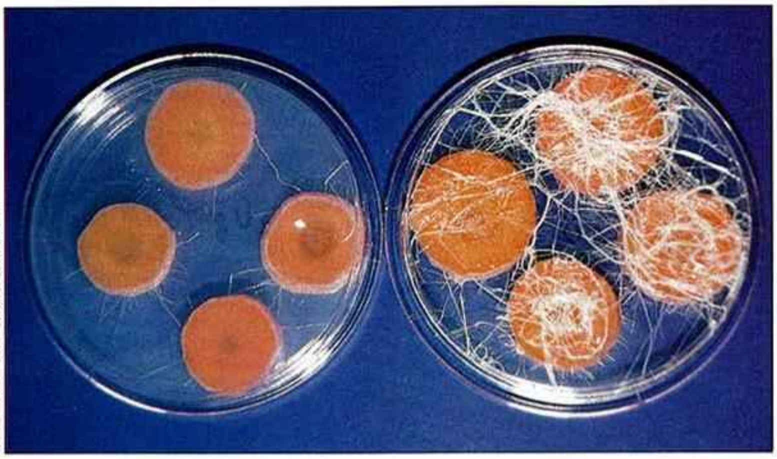
How would a fungus acquire the ability to synthesize taxol on its own? It has been suggested that the gene system needed for taxol synthesis may have been transferred naturally from the tree to the fungus. However, proof of this has yet to come.

Genetic engineering, in which scientists transfer genes from one species to another, is common today [see "Genetic Engineering's Brave New World," THE WORLD & I, August 1991, p. 318]. However, gene transfer is known to occur naturally, as well.



GARY STROBEL / MONTANA STATE UNIVERSITY

■ **The Pacific yew tree is both home to the spotted owl and a precious resource for the anticancer drug taxol. To preserve the tree, researchers are exploring other avenues for commercially producing taxol.**


GARY STROBEL / MONTANA STATE UNIVERSITY

When regular carrot slices (left) are inoculated with *Agrobacterium rhizogenes*, certain genes are transferred from the bacteria to the plant cells, inducing new roots to sprout forth (right). If the reverse process of gene transfer from plants to microbes also occurs naturally, it could be a way to obtain medicinal plant products from microbes.

As Strobel illustrates, "In 1978 we inoculated a crop plant with *Agrobacterium rhizogenes* to cause the plant to make hundreds of roots." It worked because specific genes transferred naturally from the bacterium to the plant.

The genes were located on a plasmid, a small, circular DNA molecule unattached to the bacterial chromosome. Strobel explains that "about 10 percent of the plasmid's molecular structure could move across the bacteria's cell membrane into a plant cell, integrating itself into that cell. Why can't the reverse be true?" he asks, so genes from plants would transfer readily into microbes.

In the 1930s, the Japanese scientist Yabuta observed that certain rice plants in a paddy grew much taller than other, nearby plants. The roots of each of the taller plants were found to host the fungus *Fusarium fujikuroi*, which produces the plant hormone gibberellic acid, the cause of the extra height. Before this discovery, gibberellic acid had been found only in plants. Why was this plant hormone in the fungus? Either the genes for gibberellic acid were transferred from the plant to the fungus, or the fungus and the rice coevolved so they both contained the exact genetic system and enzymes to make this hormone. Coevolution is rather unlikely, Strobel says, because, "It's not apparent that the gibberellic acid is doing anything for the fungus, but it is an essential hormone for the plant."

Chemically, taxol is a diterpenoid with a complex structure. The pathway by which it is synthesized in plant or fungal cells is not known, but synthesis is likely to occur in a series of steps, involving a number of enzymes. This means that identification of the genes required for taxol synthesis will not be easy, and the question of whether genes were transferred from the yew to the fungus may take a long time to settle. It also means that the application of genetic engineering techniques to transfer these genes from the plant to an unrelated microorganism for commercial production of taxol is not a viable option at this time.

The bigger picture

The discovery of *T. andreanae* is significant because it apparently offers an environmentally sound, relatively simple, and inexpensive way to produce commercial quantities of taxol. According to R. Vincent Miller, senior scientist and manager at EcoPharm, the advantages are that "fungi grow in simple media, they are easy to manipulate, and you don't have to harm the native plant." In addition, fungi, like other microorganisms, reproduce much more rapidly than the host plant, and they can be grown in large quantities by the technology of vat fermentation. The active compounds (taxol and taxanes) can then be extracted from the growth medium by organic solvents.

On the other hand, the yield of taxol from *T. andreanae* is too low for commercial production. Strobel therefore suggests that

"One pine needle contains several hundred different species of microbes, depending upon the plant species."

"we will have to either mutate the fungus or modify the growing medium." In fact, Strobel, Stierle, and their colleagues recently reported that manipulation of the growth medium does give better yields of taxol, and they have discovered a number of other fungi of different genera that also appear to be taxol producers. At the same time, Cytoclonal Pharmaceutics of Texas, which has a licensing agreement with Montana State University, is testing various mutant strains of fungi found on the yew tree for the commercial production of taxol.

The discovery of taxol-producing fungi also raises the hope of finding other plant-associated microbes that synthesize compounds of pharmaceutical value. "We need to focus on a plant product and look at the microbes associated with that plant to see if they're making that product also," Strobel says.

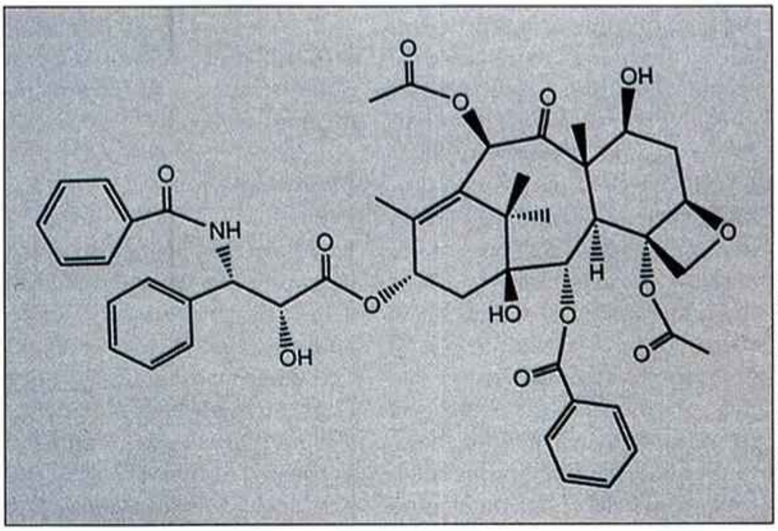
EcoPharm, in Bozeman, Montana, is doing just that. It is a young company started by the four-year-old biotech firm Pharmagenesis of Palo Alto, California. With a staff of four, EcoPharm is investigating plant-microbe interactions in looking for medicinally beneficial compounds produced by microbes. Miller notes that "microbes make a number of plant hormones. Since our inception, we have obtained more than 200 species of fungi out of just one target plant. There is great diversity."

In particular, Miller's team is looking for antifungal and immunomodulating compounds. The latter substances can either stimulate or depress the immune system and are useful for medical procedures such as organ transplants. The former could play a major role in halting opportunistic infections that occur in patients being treated with immunosuppressive drugs.

Miller's team has barely scratched the surface of the world of microbes, however. "One pine needle contains several hundred different species of microbes, depending upon the plant species," according to microbiologist Rusty Rodriguez at the National Biological Service. "In one gram of soil there are more than 5,000 species of microbes, most of which are unknown," according to E.O. Wilson, Baird Professor of Science at Harvard University.

To put this further into perspective, Rodriguez says that "95 percent of what we study is about 5 percent of the biological process." He emphasizes that micro-

■ The complex structure of taxol makes it expensive to synthesize chemically. In the absence of information about genes required to produce the drug in yew cells, production by standard genetic engineering techniques is not a viable option at this time.



GARY STROBEL / MONTANA STATE UNIVERSITY

biology is a relatively unexplored field and that gene transfer between plants and microbes "probably happens frequently," but that our base of scientific knowledge of the subject is still too narrow to accurately reflect trends for the broad spectrum of microbes. The situation is akin to taking a survey of residents of one small town and trying to extrapolate the results for the entire nation.

Even with plants and animals, "We tend to preserve only species that currently are considered to be important. . . . Other, perhaps vital, organisms or species are overlooked because of our limited knowledge," according to Gregory Benford, the University of California-Irvine physicist who in 1992 proposed developing a cryogenic "library of life" to preserve biodiversity. "We now co-opt about 40 percent of plant growth worldwide, favoring monocultural crops, which must greatly affect genetic diversity." He adds that, by a conservative estimate, about 5,000 species of plants and animals become extinct each year, and, according to some noted scientists, we could lose 25 percent of all species in 50 years. From this perspective, we are losing enormous opportunities to use not only the plants but also the microbes that live on or in them, making the work of finding medically beneficial compounds more difficult and making the compounds that are found less diverse.

COURTESY OF ANDREA STIERLE / MONTANA TECH

■ The fungus *Taxomyces andreanae*, isolated from the inner bark of a Pacific yew tree, can produce taxol independently of the tree. This discovery has raised hopes that microbes associated with plants may be a source for large-scale production of rare drugs made by plants.

Above: *T. andreanae* growing on chips of yew bark.
Opposite: The same fungus, examined under a scanning electron microscope (magnification 2,600x).

Screening

EcoPharm is working closely with its parent company, Pharmagenesis, to target plants for microbial analysis. Once a plant is identified as having medicinal value, EcoPharm obtains a sample of the plant and begins a painstaking search for microbes and their products. Microbes whose products appear similar to those of the plant's medicinally beneficial compound are studied further.

"At EcoPharm, we take one to two inches of bark from a tree, a few leaves, and a little root. We don't destroy the plants," says Miller. His approach is considered to be so environmentally sound that the firm has alliances with the Nature Conservancy of Hawaii and other environmental groups to obtain the necessary samples, even from rare plants and environmentally sensitive areas.

Amazingly little is known about the hundreds of thousands of plants currently in existence. Only a relative few are used for food or medicine. "Most of the plant-derived drugs in use today come from only about 90 species," according to Norman Farnsworth, professor of pharmacology at the University of Illinois, Chicago. Of the estimated 250,000 plants on the planet, "most have never been studied for their medicinal value."

Companies that work with plants (and their microbes) that have been used in traditional medicine—plants prescribed by ancient remedies and local healers—say that their discovery process is more focused than that of more conventional pharmaceutical firms. Local healers, after all, know where the useful plants are located and how they've been used for hundreds

Of the estimated 250,000 plants on the planet, "most have never been studied for their medicinal value."

or thousands of years.

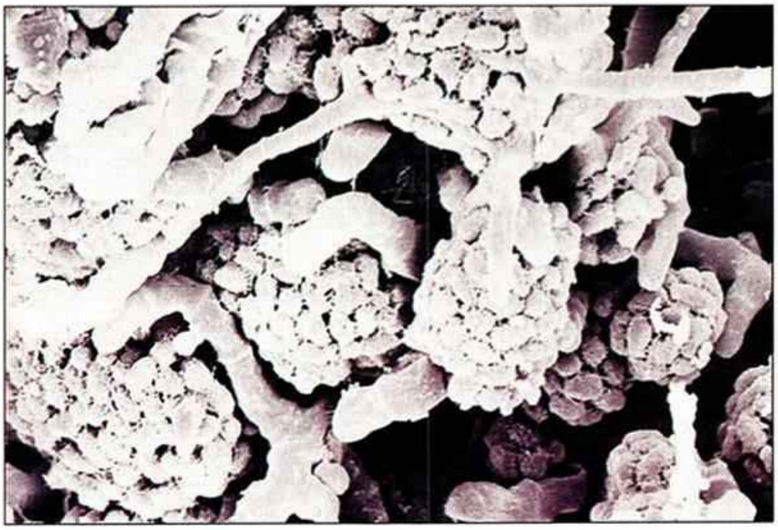
By contrast, conventional drug manufacturers tend to take a more general—some say random—approach. They have been conducting mass screenings of soil, plants, and microbes to find organisms with antibiotic potential, regardless of whether traditional medicine has used them. Although such an approach has yielded many drugs, such as cyclosporin, it is costly.

The National Cancer Institute is undertaking a massive project that collects about 1,000 samples of fungi and microalgae each year, along with about 1,000 marine invertebrates and 3,000 plant samples from tropical rain forests throughout the world. According to the most recent NCI figures, 21,134 extracts from fungi and cyanobacteria are currently available for testing. Since the program began in 1965, NCI has tested about 75,000 extracts for activity against cancer or AIDS. Only a handful of these samples have progressed to animal studies.

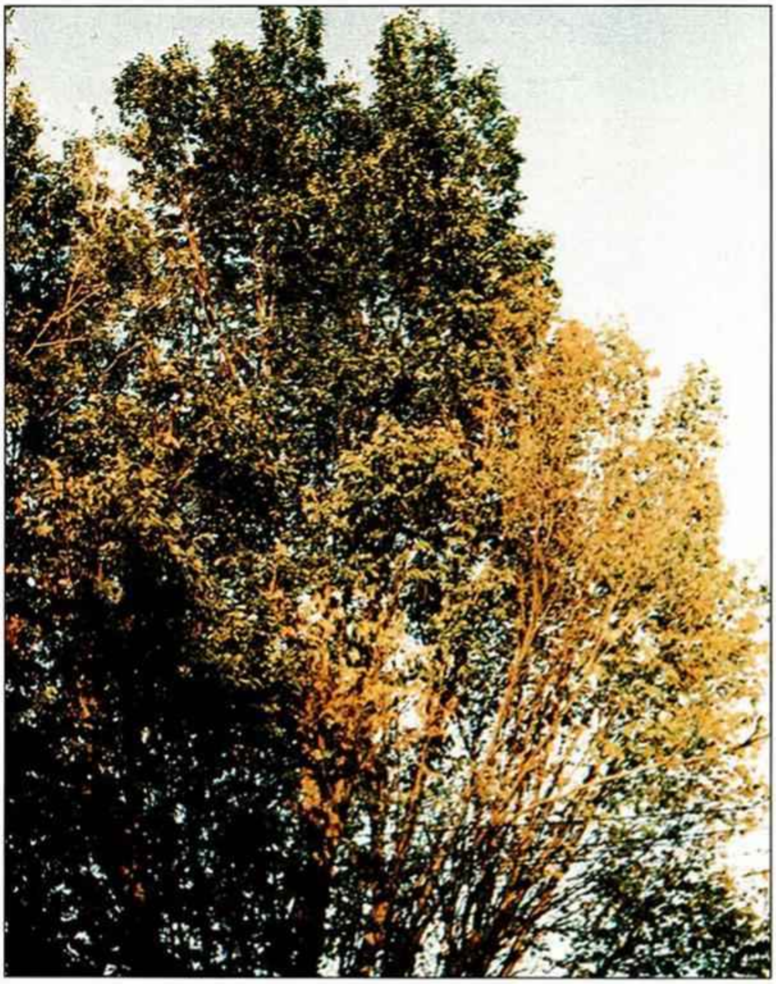
Shaman Pharmaceuticals in San Francisco is one of the firms actively working with traditional healers in South America. "We've investigated about 700 plants and have one compound in clinical trials to treat herpes simplex and another one, also in clinical trials, to treat a respiratory virus," according to Maryanne Hines, manager of corporate communications. Their search has not included microbes.

Pharmagenesis is working closely with traditional healers in Asia. The Chinese pharmacopeia (a book of medicinal preparations) lists about 5,000 plants and their medicinal uses. "The difficulty," according to Nick Pliam, director of exploratory research at Pharmagenesis, "is that the information [in the pharmacopeia] is not straightforward." Chinese traditional medicine, which has developed through thousands of years, is more likely to speak of flows of energy throughout the body than of specific organs. In contrast to many of the firms that are studying traditional medicinal plants, "We're not just looking at the organisms but also at the ecological relationships among organisms, and [we] are trying to understand their chemistry," Pliam says.

Research conducted at EcoPharm includes plants from North America as well as those from Asia. "Our immune-system work is limited to Asian plants, but for antifungals, there is no one region for our research," Miller says. "We're even looking in the United States, and we're finding some novel things." But he is cautious about describing the microbes and their products. "We are just starting to look for microbes with compounds that are synonymous with those



COURTESY OF WILLIAM HESS / BRIGHAM YOUNG UNIVERSITY


GARY STROBEL / MONTANA STATE UNIVERSITY

■ The unseasonal yellowing leaves of elm trees (above) are an early sign of Dutch elm disease, caused by a pathogenic fungus. As the disease progresses, it can kill the trees. But it can be halted by inserting the microbe *Pseudomonas syringae* (opposite, magnification 42,000x) into the trees.

found in plants."

So far, Miller says, "We have found a number of active compounds but with deleterious side effects. Some are in tests." Genetic engineering, however, offers the possibility of modifying the active compounds to reduce or perhaps eliminate the unwanted side effects, so the microbes may still yield a medically useful substance. Of the microbes tested, "About 40 percent have some type of activity, and, of those, between 10 and 15 percent have high activity. Four are immunomodulators," Miller says.

The need for new antimicrobials

One area of medical concern is the recent increase in incidence of infections by pathogenic fungi. "After the Northridge [California] earthquake in January 1994, there were a lot of fungal-type lung infections," Strobel says. The reason, he explained, is that the quake caused many fungi to become airborne, thanks to the extra material exposed to air currents by the collapse of buildings and the infrastructure, as well as by the jarring of plants and the rifts in the earth. Adding to the problem, genetic mutations of microbes often appear, causing the reemergence of diseases that had previously been controlled by medications. These changes make it important to find new antimicrobial agents.

For example, the fungus *Coccidioides immitis* is found in the soils of the southwestern United States and Central and South America. When the soil is stirred up, as occurs during earthquakes and farming operations, that fungus causes coccidioidomycosis, also called "valley fever," after California's San Joaquin Valley, where a large outbreak occurred in 1992. Just in Kern County, a small part of that valley, more than 3,000 people caught the disease in 1992, according to the National Institute of Allergy and Infectious Diseases.

Pseudomonas syringae, the microbe that can halt Dutch elm disease, may also fight human fungal infections. Dutch elm disease, caused by the fungus *Ceratocystis ulmi*, destroyed a huge proportion of elm trees in North America and Europe in the 1960s. But when a microbe for-

Pseudomonas syringae, the microbe that can halt Dutch elm disease, may also fight human fungal infections.

eign to those trees was inserted into them, they produced a compound to fight the disease. Strobel thinks *Pseudomonas* may also be effective against most human fungal pathogens. Eli Lilly, a major American pharmaceutical manufacturer, agrees and is working with it in developing medications. The preliminary laboratory work looks promising, and the firm is scaling up fermentation for further tests.

Cyclical interest

"The interest in 'natural' drugs—those derived from plants or microbes—is cyclical," Pliam says. A period of interest in them started after World War II and continued through the 1970s. By the 1980s, when many of those researchers were retiring, fewer and fewer new plant-derived drugs were being discovered. Rather than searching for plant-derived compounds, scientists worked on producing drugs by chemical syntheses. At the same time, the field of biotechnology was born. As it grew, techniques were developed that are making this decade's interest in natural, plant- and microbe-derived medications productive.

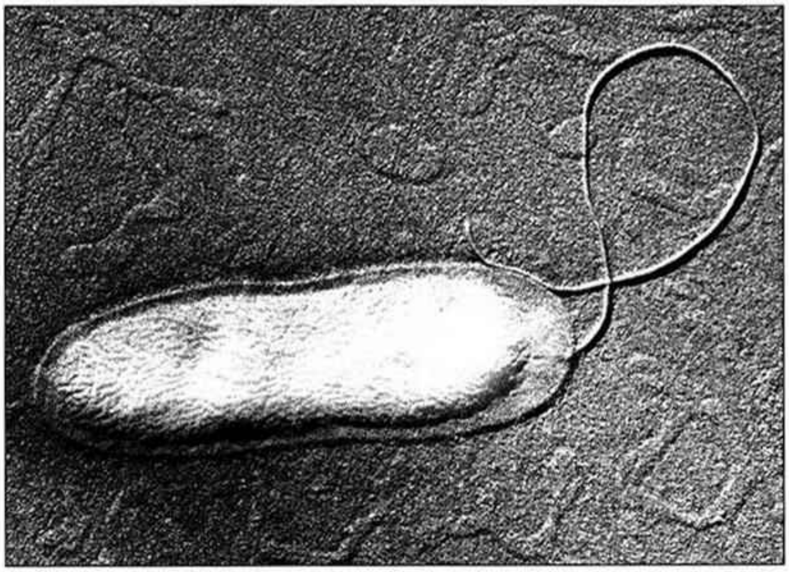
In the 1990s, large-scale screening of plants and microbes for naturally occurring drugs has become possible through vastly improved technology, combined with the use of human cells in tissue culture. These methods offer the potential to derive more information with greater accuracy and at dramatically higher speed. Laboratories that once could test only a dozen compounds per year can now test thousands.

Typically, microbes or plants are tested on human cell cultures, prepared from cells taken from an actual tumor or pathogen-infected tissue. Compounds that seem effective—killing the tumor cells, with minimal damage to normal cells, for example—progress to animal studies. If they are safe and effective there, they may progress to human trials.

Conclusion

Scientists are currently scouring Amazonian, Asian, and even North American forests for medicinally beneficial plants, and a few groups are looking at microbes associated with them. But the discovery of a fungus that produces taxol holds the promise that other rare, plant-synthesized drugs may be more readily accessible through microbes that grow on the plants. ■

Gail Dutton is a free-lance science writer based in Irvine, California. Her earlier articles in THE WORLD & I *have discussed the impact of baking soda and mapping the plant genome.*



COURTESY OF BRUCE HEMMING / MONTANA STATE UNIVERSITY

Reptile in a Box

Karen J. Donnelly

The box turtle, once a common inhabitant of American woodlands, is threatened by its exploitation by the European pet trade.

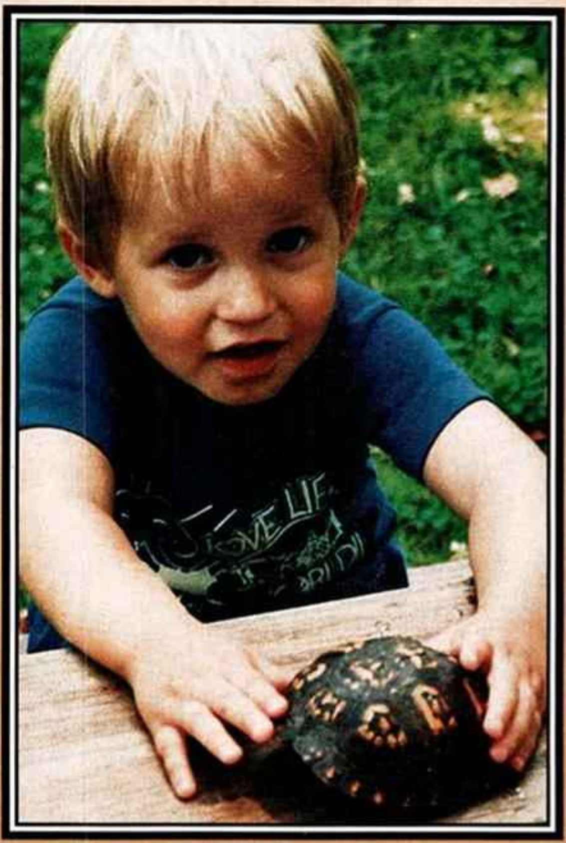
For many of us, the familiar box turtle is one of the first wild animals encountered. We seldom consider that, with an amazing combination of engineering and adaptation, turtles have survived since the age of dinosaurs. They can be traced back to the early Mesozoic era, over 200 million years ago.

Like other reptiles, the box turtle is a cold-blooded vertebrate with scaly skin. But its gentle nature makes it conducive to human interaction. Unfortunately, the same nature has made it a victim of an abusive and competitive pet trade.

Shell design

The distinguishing mark of the common box turtle, *Terrapene carolina*, is its shell. The top shell, the *carapace*, has a broad, high dome, usually dark brown or black with light markings. The *plastron*, or bottom shell, attaches to the carapace at the bridge on each side

JOHN HARRINGTON / THE WORLD & I
COURTESY H.B. OWENS SCIENCE CENTER, PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM, MD



COURTESY CYRUS OLSEN

■ *Opposite*: **Shaped like a dome, a box turtle's shell has light markings on a dark background. The shell is part of the skeleton and is composed of horny plates called *scutes*.**

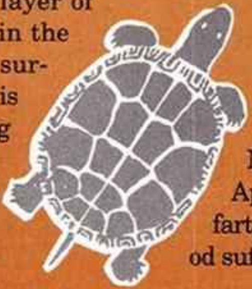
Above: **This reptile's gentle nature makes it a likable pet, but maintaining it requires proper care.**

between the fore and hind legs. The female's plastron is relatively flat, while the male's has an indentation near the middle.

The unique shell of the box turtle, from which its name derives, protects it from most predators. Because of a hinge that runs through the middle of the plastron, the box turtle can not only withdraw its head, tail, and limbs into the shell but can close the shell so tightly that very little can penetrate.

The turtle's shell is not external in the way that a snail is surrounded by its "house." Actually part of the turtle's skeleton, this unique configuration of bone grows as projections off the vertebrae. As the turtle matures, the projections fuse, creating the bony underside of the carapace. The bone is covered with flesh, blood vessels, and nerves. The visible outer layer is made of horny plates called *scutes*, resembling fingernails and growing over the flesh. The cells of the scutes continuously renew themselves, as old cells slough off like human skin cells.

When damaged, the shell is regenerated. A new layer of scutes develops within the bone, just below the surface. When this layer is ready, the thin covering of bone flakes off. New scute material is revealed, protecting and sealing the shell.



Under the dome

Beneath the shell, the turtle's vital functions—including the heartbeat—occur slowly. In contrast with the lungs of a mammal, the turtle's lungs are filled with air when fully relaxed. When exhaling, pressure is exerted on the lungs through a pair of muscles attached to a type of diaphragm. Although its brain is small, the turtle has well-developed senses of vision and smell.

Like other turtles, the box turtle has horny jaws instead of teeth and swallows its food without chewing. When young, the box turtle is carnivorous, preferring earthworms, insect larvae, and slugs. As it matures, its diet expands to include mushrooms, fruit, berries, and other vegetation.

A box turtle grows very slowly. Because it spends its winters in hibernation, its life is marked by uneven growth, recognizable from irregular growth zones on the carapace.

Life cycle

Box turtles must maintain a body temperature of over 70 degrees in order to digest their food. They therefore spend winter months in hibernation. North of Maryland, hibernation begins in November and ends in April or early May, while farther south a shorter period suffices.

MARY WILLEFORD BAIR

■ In defending itself against would-be predators, the box turtle withdraws its extremities and shuts itself tightly within the shell. This is made possible through a hinge in the plastron (bottom shell). A concave area in the plastron is characteristic of the male.

The turtles dig in loose soil covered or mixed with dead vegetation. As winter approaches, they dig deeper, reaching a final depth of three to eight inches in southern habitats and two feet in the north. They prepare a cavity, slightly sloping at the bottom and leaving air space around them. The pad on which the plastron rests is their only contact with the ground. Within these cavities, their bodies generate just enough heat to keep vital parts from freezing.

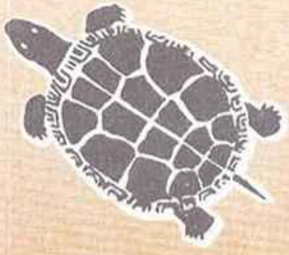
In spring, the turtles emerge from their burrows. Even though they have not eaten in months, male turtles forgo food and immediately begin looking for a mate. Because box turtles winter in a common hibernaculum, the male turtle does not have far to look. He approaches the nearest female, biting her head, neck, and the edges of her shell. He pushes against her shell, rotating it and sometimes tapping it with his plastron. The male mounts a receptive female from behind, hooking his hind feet under the back edges of her shell. She grips them with her own hind legs and partially closes her shell, holding the male in place. The concave plastron of a male box turtle fits against her shell while mating. For copulation to occur, the male must maintain this vertical position for a period of up to an hour.

The search for a nesting site begins in late June or early July in the northeastern states and in May and June in more southern habitats. In the early evening, the female looks for an acceptable location, sniffing the ground and poking with her front feet as she pushes aside the leaves. Once she has found a suitable site, she turns around and digs with her hind feet. Alternately scooping with each foot, she lifts the dirt away until she has a hole about four inches deep. She lays two to seven elliptical eggs 1 1/4 to 1 3/4 inches long. She buries them, first using the dirt she removed, then camouflaging the nest with vegetation. Once it is covered, she leaves and never looks back. From birth, the hatchlings will be on their own.

The eggs hatch in early fall, following an average incubation period of 88 days. The hatchlings remain underground for a short period to allow widening of their shells, which were tubular inside the eggs. The first hatchling digs its way to the surface, climbing over the backs of its brothers and sisters. When it emerges, its shell is caked with mud, like ice on the wing of an airplane. Once the hatchlings reach the surface, they do not eat but go directly into hibernation, as winter is just around the corner.

Range

The familiarity of common box turtles derives from their extensive geographic range. They can be found as far north as central Maine and southern Wisconsin, as far south as the Florida pan-



Even though they have not eaten in months, male turtles forgo food and immediately begin looking for a mate.

handle. From the East Coast, their range extends westward to eastern Illinois, Kentucky, and Tennessee.

The common box turtle has several cousins found throughout the United States. The three-toed box turtle, *Terrapene carolina triunguis*, ranges from northern Missouri to south-central Texas and is distinguished from its four-toed relatives by the three claws on each of its hind feet.

The ornate box turtle, *Terrapene ornata*, lives farther west, from Iowa and South Dakota in the north to southern New Mexico, Arizona, and Mexico. This species is distinguished by the striking pattern of light lines on both the dark plastron and carapace. These attractive markings make the turtle more desirable to the pet trade, leading to a human assault on the once-prolific species.

Threatened by the pet trade

According to the U.S. Fish and Wildlife Service, from 1992 through 1993, nearly 55,000 box turtles were collected and exported to Europe to be sold as pets.

Bright markings cover a larger proportion of the shell and skin of the male box turtle (left) than the female (right). In addition, the male has red eyes, the female has brown.

JOHN HARRINGTON / THE WORLD & I
COURTESY H.B. OWENS SCIENCE CENTER, PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM, MD

COPELAND MACCLINTOCK

■ A box turtle hatchling, newly emerged from the nest hole, has mud plastered over its shell.

During export, the turtles are subjected to deplorable conditions, packed by the hundreds on top of each other in crates or burlap sacks with no food or water, causing many to die in transit. In addition, even well-meaning pet shop owners and customers are often ignorant of the type of care required. But in the absence of evidence that they could be nearing extinction, box turtles have not been accorded protection under the Endangered Species Act.

Alarmed conservationists have successfully persuaded those attending the Convention on International Trade in Endangered Species (CITES) to list box turtles in the international treaty regulating the trade of live animals. Export of box turtles has temporarily halted, as distributors apply for permits that would allow them to resume their trade but would require them to comply with regulations governing the export of live animals.

Theresa Telecky of the Humane Society reports that, as of March 10, 1995, 18 permit applications had been filed with the Fish and Wildlife Service. But conservationists fear that permits will be granted based on political pressure. Allen Salzberg, of the New York Turtle and Tortoise Society, argues that to comply with the CITES regulations, the Fish and Wildlife Service should not grant permits unless there is scientific evidence that the wild population will not be harmed. In most states, this information is not available. "The large numbers of turtles necessary to make their export profitable must have a negative if not devastating impact on wild turtle populations," Salzberg says. He further worries that turtles are marketed as easily replaceable, "disposable" pets.

Mature box turtles have an average life expectancy of 40 to 50 years, with many documented cases of between 80 and 120 years. They can reproduce for most of their adult lives. However, they do not reach sexual maturity for 10 to 15 years, and, because the young are susceptible to natural predators such as skunks and raccoons, relatively few live to reproductive age. The survival of their population depends on each female producing an average of two to five hatchlings per year over a long period. Many wild populations are "dead": Although there are large numbers of old adults, there are no juveniles or babies, creating an illusion that the population is still viable. But after these adult turtles are collected, nothing will be left.

In Europe, many pet owners are not aware of the turtles' needs and turn them loose in gardens

We need to shelter it from the shortsighted actions of our own population.

where the climates are cooler than their native habitats and the summers are too short. Conservationists estimate that, in the absence of a controlled environment—warmth, humidity, and ultraviolet light—90 percent of the exported turtles die prematurely.

In addition to the pet trade, box turtles are threatened by the needs of an ever-increasing human population. The demand for more roads and housing destroys turtle habitat and increases road kills and mowing injuries.

Hiding in its shell protects the box turtle from its natural predators. But we need to shelter it from the shortsighted actions of our own population. ■

Karen J. Donnelly, a free-lance writer from Bethany, Connecticut, has been fascinated with reptiles and amphibians since childhood. She would like to thank Copeland MacClintock, museum assistant in invertebrate paleontology, Peabody Museum at Yale University, for sharing his lifelong love of box turtles.

Ornate box turtles are crammed together in a dealer's holding area in Los Angeles.

ALLEN SALZBERG

Beyond the Green Revolution

Dave Tenenbaum

Having revolutionized agricultural production 25 years ago, this global research center for wheat and maize continues to fight hunger through genetic innovation.

COURTESY OF CIMMYT, INT.

"There's a lot of disease buildup in this field," says Scott McLean, a plant breeder from Louisiana, as he slogs through a muddy, misty cornfield near Poza Rica on Mexico's Caribbean coast. "That's good."

McLean explains that the diseases put "selective pressure" on the 15,000 test plots of corn in this field. Varieties that are susceptible to the diseases will die.

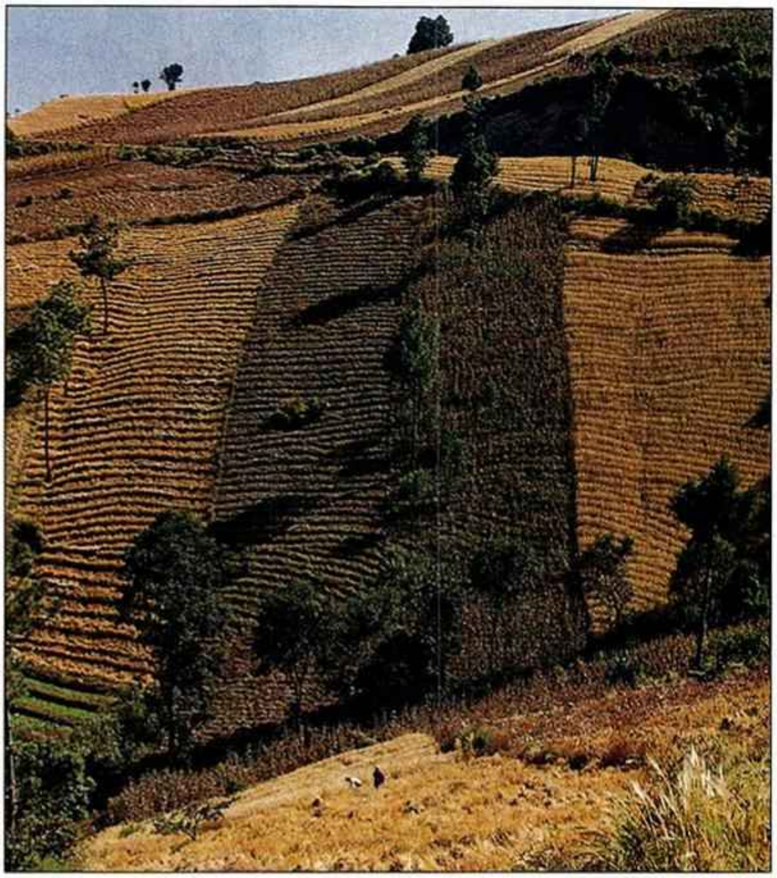
Although that would not please most farmers, McLean and his employer are perfectly happy about it. McLean works for CIMMYT, the International Center for Maize and Wheat Improvement (Centro Internacional de Mejoramiento de Maíz y Trigo), which breeds crops for millions of marginal farmers in the developing world, where the two grains supply an average of 25 percent of the people's total calories. CIMMYT is interested in only those varieties that can survive diseases, insects, and droughts on poor farms in Africa, Latin America, and Asia.

During the 1960s, CIMMYT developed the high-yielding varieties that made India self-sufficient in wheat and helped launch the "green revolution." The work earned CIMMYT researcher Norman Borlaug a Nobel Peace Prize in 1970.

Twenty-five years later, the "green revolution" is almost forgotten. Yet CIMMYT's impact on world agriculture remains profound: 70 percent of wheat acreage in the developing world is growing varieties that have been improved at CIMMYT. Economists from the organization estimate that its genes boost the annual wheat harvest in the developing world by 7 percent, or 17 million tons of wheat, equal to the wheat requirement for 233 million people. This extra production "reflects the genetic edge that CIMMYT varieties provide," says Tiffen Harris, director of information services at CIM-

■ *Opposite:* **Wheat and corn varieties developed by CIMMYT help millions of farmers in developing countries to achieve a successful harvest.**

Right: **Thanks to assistance from CIMMYT, farmers in Guatemala have adopted farming practices and crop varieties that protect the soil on these steep hillsides from erosion and produce a good yield.**



G. HITTEL / COURTESY OF CIMMYT INT.

MYT. "It's added grain that would not be harvested if these varieties were not in use."

Similarly, CIMMYT's "genetic edge" contributes an estimated 7 percent to the developing world's corn harvest. This 15-million-ton increase is enough to supply the maize requirement for 271 million people each year, Harris adds. Yet nobody at CIMMYT headquarters, near Mexico City, talks about taking a breather. The world's population increases by almost 100 million per year, yet most of the good land is already under the plow, and too much land has been swallowed up by urban development or suffers from salt buildup due to overirrigation, erosion, or desertification. Even the genetic resistance that CIMMYT so laboriously breeds into its seeds eventually succumbs to the persistent evolution of diseases and insects. And the steady increase in world grain production during the postwar era has slowed dramatically over the past 10 years.

With funding for CIMMYT and other international agriculture research centers on the decline, the future of the hundreds of millions of hungry people seems bleak, indeed.

CIMMYT has responded in several ways to the manifold challenges it faces. It has trimmed staff to meet a budget shortfall, and it is placing more emphasis on adapting its varieties to the overall social, economic, and environmental situation of the marginal farmers it serves. Finally, it is updating its technology in two major areas: genetic engineering and digital data handling.

Genetic engineering

The introduction of genetic engineering at CIMMYT has aroused considerable skepticism among traditional plant breeders, who have always played first fiddle at the organization. Yet the prospect of manipulating germ plasm (as the reproductive material in seeds is called) gene by gene is so promising that the organization is giving an audition to genetic engineers.

When CIMMYT opened its biotech lab in 1990, the idea was "to *use* cutting-edge research, not to do it," says biotech director David Hoisington. "We are not trying to displace the breeding program; we're trying to work with it, to provide modern solutions to old problems."

A Full Plate of Projects

Genetic engineering and computers are not the only tools in CIMMYT's tool kit as it tries to meet the needs of corn and wheat farmers in developing countries. It is also expanding the genetics available to traditional breeders, investigating an indigenous agricultural technique, and starting to breed crops that need fewer inputs like irrigation and pesticides.

To give wheat greater access to genetic resistance to disease, CIMMYT plant breeders are crossing it with an incompatible ancestor called goat-grass. To do this, they first create a "synthetic" wheat to temporarily hold the goat-grass genes, then cross that with true wheat. In preliminary tests, wheats containing goat-grass genes produced superior yields.

CIMMYT researchers have learned to use a blend of micronutrients and plant hormones to regenerate seemingly dead corn from its seed bank. (This seed bank, the largest internationally supported and publicly available collection of corn germ plasm, contains 12,102 varieties, representing most of the land races of corn in the world.) Each of the revived varieties is grown in the field and put through basic agronomic tests, after which the new seeds are returned to the deep freeze.

In Veracruz State, Mexico, CIMMYT is helping poor farmers to develop and teach an indigenous technique for planting corn with a leguminous companion crop. This technology prevents erosion and supplies no-cost nitrogen fertilizer.

CIMMYT is also breeding corn that uses nitrogen more efficiently, thus reducing costs to farmers and water pollution at the same time.

Since drought reduces developing-country corn yields by 15 percent, CIMMYT invented a new method for breeding drought-resistant corn. A variety released in 1994 could feed 50 million more people in areas with uncertain rainfall.

CIMMYT researchers are attaching "molecular markers" to useful genes so these genes can be more easily tracked through successive generations of plants. David Hoisington, the organization's biotech director, hopes this technique for identifying offspring carrying helpful genes will cut years from the breeding process.

—D.T.

J. LUIS CASTILLO / COURTESY OF CIMMYT, INT

CIMMYT researchers have adapted the technique of "molecular markers" from human genome research to maize breeding. Here two researchers study a luminograph of molecular markers correlated with resistance to corn borers.

If barley had a gene for resistance to a fungal disease that afflicts wheat, the gene could be transferred from barley into wheat.

Borlaug and his colleagues used conventional breeding to make the improvements that started the green revolution, breeding short-stemmed wheat. (These plants can devote more energy to producing grain and are less likely to fall over before harvest.)

But plant breeding has limits. It can take anywhere from 3 to 10 years to create a new variety. If the desired trait—high yield, for example—is carried on several genes, conventional breeding is particularly difficult. And if the trait—say, resistance to an insect pest—cannot be found in the species, breeding cannot help.

Genetic engineering promises to sidestep these limitations and vastly increase the field of search for desired traits. For example, if barley had a gene for resistance to a fungal disease that afflicts wheat, the gene could be transferred from barley into wheat, Hoisington says. "We can treat all the cereal grasses as one species at the molecular level."

Plant genetic engineering has been revolutionized in the past few years with the invention of the "gene gun," which literally shoots genes, adhered to tiny metal spheres, directly into the cell nucleus. Oddly, nobody knows how the new genes fuse to the host chromosomes, says Natasha Bohorova, the Bulgarian-born chief of genetic engineering at CIMMYT. "It's a black box. Nobody can prove how it happens." And usually it doesn't happen—most cells don't take up the new genes. In a typical day, Bohorova's lab may blast 1,000 clusters of embryonic cells to produce a few transgenic plants (plants with functioning new genes). Still, that's better than nothing, Bohorova says. "The gene gun is our future."

When CIMMYT decided to create transgenic corn two years ago, the first obstacle was to find a target variety that would grow even after it had been blasted with tungsten particles and foreign genes. Then they had to select the ammunition—a gene coding for a trait useful to poor farmers. CIMMYT, like many plant genetic-engineering organizations, chose a gene from the bacterium *Bacillus thuriengensis* (Bt), which makes crystalline proteins that give insects a deadly stomachache yet seem harmless to mammals, including humans.

Since the various strains of Bt produce several types of insecticidal protein, the CIMMYT researchers next fed a selection of these proteins to larvae of fall

DAVE TENENBAUM

■ Transgenic corn containing a bacterial gene that produces an insecticidal protein is being tested in this biosafety greenhouse at CIMMYT headquarters in Mexico.

CIMMYT's Roots

CIMMYT traces its lineage back to a wheat breeding program started by the Rockefeller Foundation in Mexico in 1943. By the time CIMMYT was established in 1966, much of the breeding for the green revolution had already been accomplished.

The new organization maintained its location in the suburbs of Mexico City but expanded its mission to include corn. Today it has 716 employees, offices in 16 nations, and a $30 million budget. CIMMYT gives its major product—improved seeds—without charge to more than 100 government agriculture research programs worldwide, which either distribute them directly or breed them further for local conditions. Any seeds left over are given to private seed companies.

Essentially, CIMMYT serves as a "breeder of last resort" for farmers who can't afford to pay for seeds. Thus, it doesn't directly serve farmers in developed countries, who can afford to pay breeders for varieties of wheat and corn.

CIMMYT is one of the largest of 18 centers supported by the Consultative Group on International Agricultural Research (CGIAR), which describes itself as "an informal association of 42 public and private sector donors." In 1993 the group, based in Washington, D.C., distributed $235 million to the centers.

Each CGIAR center focuses on either a crop (as does, for example, the International Rice Research Institute, in the Philippines) or specific environments (as do the International Center for Tropical Agriculture, in Colombia, and the International Crop Research Institute for the Semi-Arid Tropics, in India).

—*D.T.*

COURTESY OF CIMMYT, INT.

■ **CIMMYT's headquarters, surrounded by experimental fields, is about 30 kilometers (18 miles) outside Mexico City.**

army worms and corn borers, the primary insect pests of corn in the developing world. Eventually, they found one insecticidal protein that killed the larvae at a concentration of 1 part in 100,000.

CIMMYT then hired a firm to link the gene that creates the protein to a sequence of DNA that would instruct the gene when to make the protein. Finally, in early 1995, with all the pieces in place, the researchers blasted the gene into clusters of embryonic corn cells and sorted out those that had adopted the new gene.

The plantlets—the first tropical corn containing Bt genes—were raised in a "biosafety" greenhouse, which is sealed to assure that no pollen from the transgenic corn contaminates corn in nearby fields. The plants are now being tested to see whether they produce the deadly proteins in the places that the insects eat—leaves, stems, silks, and ears. Only after such plants are produced will the new variety be transferred to CIMMYT's breeders, who will refine it with conventional breeding techniques. Then if all goes as hoped, CIMMYT will distribute the insect-resistant crop to national agricultural researchers around the world.

Plant breeding in the digital era

The second broad technological advance at CIMMYT involves enlisting computers to help its

The second broad technological advance at CIMMYT involves enlisting computers to help its breeders.

breeders, who, for a variety of reasons, are awash in data. Since a plant trait can originate in any ancestor, breeders want information on as many generations of ancestors as possible, and that implies a geometrically increasing sea of names and numbers.

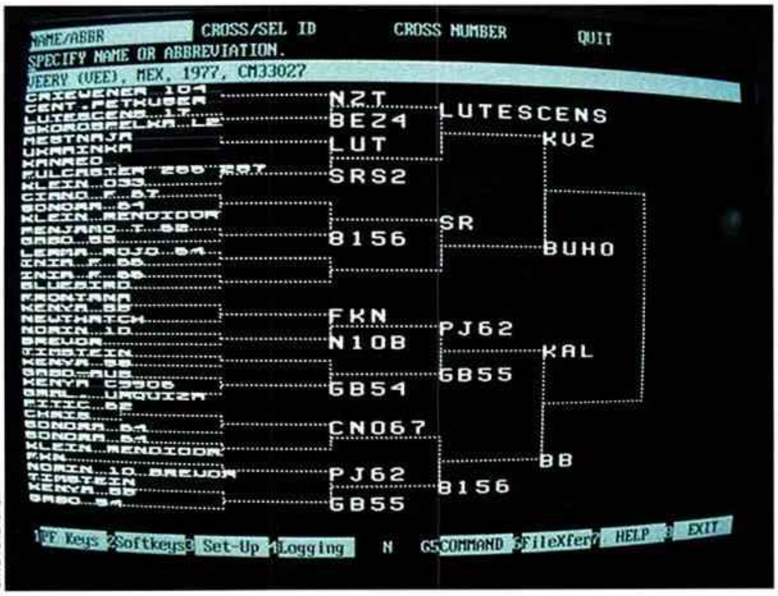
But lineage is just the beginning: Each of the 15,000 tests performed at the Poza Rica station, and thousands of others done by CIMMYT collaborators around the world, produces data on yield, disease resistance, insect resistance, and seed quality—and how each factor is influenced by soil, geography, weather, and agricultural technique.

Until recently, little information has flowed between CIMMYT and its collaborators. "We send wheat lines around the world," says Paul Fox of the wheat program. Collaborators "would get a box full of seed, with [virtually] no information on it [except for the names of the parent lines]. Then they grow it out and measure yield, seed quality, disease resistance. We've been very good at sending out germ plasm . . . but we've been weak at doing anything useful with information."

Computerization also promises to ameliorate the nomenclature nightmare. One variety of wheat, for example, called siete cerros, was listed in CIMMYT's files under 14 spellings. "We had this incredible problem associating information," says Fox. "And we're supposed to be the hub, the coordinator of information. It was just horrendous."

As a result, CIMMYT is rushing headlong into the digital age. In late 1994, it began distributing computer disks holding performance and ancestry data along with wheat seeds. Collaborators are now encouraged to return their data to CIMMYT on disk, so the organization can finally learn, for example, what happens when a wheat bred in Mexico grows in China or Argentina. By 1996, CIMMYT plans to distribute more lineage data, and wheat-breeding software, on CD-ROM.

The overall strategy is to integrate information about the world's wheat on software being developed at CIMMYT, called the International Wheat Information System (IWIS). The data base will integrate information from CIMMYT's files, seed banks, the GrainGenes data base of the U.S. Department of Agriculture, and other sources.



DAVE TENENBAUM

■ Computerized records of the pedigrees of all CIMMYT's varieties of wheat will be available on CD-ROM in 1996.

IWIS offers huge advantages, Fox says. "It will reduce waste, so if a lab in the U.S. was getting genetic information, people in Pakistan would not have to repeat it." IWIS will also answer a new kind of question, Fox adds. "A breeder could send us a query, asking what lines of wheat would be useful at a certain altitude, a certain latitude, a certain soil type, relative humidity, and rainfall." This capacity, he notes, could be critical after a disaster like the recent civil war in Rwanda, where famine has compelled starving people to eat their seeds. "We'd enter the characteristics of the area, and the data base would suggest a suite of varieties that work in similar conditions." While fragments of this information exist in the memories and records of breeders scattered across the globe, IWIS would make it available to anyone with a computer and a CD drive or an Internet gateway.

But how effective is it?

Assessing CIMMYT's effectiveness is deceptively difficult, since the organization distributes germ plasm to national agriculture programs and private seed companies. Some recipients reproduce the seeds, then distribute them essentially unchanged to farmers; others do further breeding work to make them more suitable to the local climate or farming patterns. Determining exactly where CIMMYT germ plasm goes—and how much credit it should get for yield improvements compared to better farming techniques and greater use of fertilizer and pesticides, which have often accompanied the introduction of modern seeds—is a matter of judgment and guesstimation.

According to CIMMYT's economists, each year about 32 million tons of wheat and corn (worth about $3.9 billion at 1994 prices) are attributable to the organization's work. To put these figures in perspective, Harris says, the organization's annual budget is $30 million.

Despite the documented successes of the green revolution, which enabled India to practically double its wheat output between 1965 and 1971 without much increase in wheat acreage, CIMMYT and other organizations behind the green revolution (see "CIMMYT's Roots," p. 172) have attracted flak. Various critics have complained that, by focusing on productivity, it has ignored the dangers of an endlessly increasing population; others have said it was "stealing" the genetic heritage of the Third World; threatening native varieties of crops (or "land races"); promoting inappropriate technology; and serving large, rich farmers instead of small, poor farmers.

The CIMMYT staff is openly trying to squeeze more yield from each acre, but they know population could eventually outstrip productive capacity. They note that, while accepting his Nobel Prize, Borlaug warned that CIMMYT could only "buy time" that had to be used to control the "population monster."

Some critics have argued that plant breeders in general, and centers like CIMMYT in particular, are stealing the genetic heritage of small farmers because they use genes from local varieties without paying the farmers who grew them. In reality, "sharing" would be a better term, at least for CIMMYT, which gives away its seeds for free.

Furthermore, it is hard to claim that corn, for example, is still the unique property of Mexico and Central America, where the crop originated. As Paul Heisey, a CIMMYT economist, points out, the crop now reflects the efforts of farmers and plant breeders worldwide. "The flow of genes comes from a lot of places," says Heisey, "and they've been rearranged in a lot of places." He points to suwan, a popular corn bred in Thailand with genetic material from 20 countries that is now being used in breeding programs in 20 other countries. Instead of trying to pay source countries for their genes, Heisey argues, it "would be better to maintain the free flow of genes."

Have the modern CIMMYT varieties displaced land races, which are essential sources of crop diversity? Probably so, since farmers choose modern varieties precisely because they produce more food than land races. At any rate, Heisey argues, CIMMYT and its sister centers do not

"My friend had forgotten that he'd given this farmer a variety of wheat 10 years ago. But the farmer didn't forget—it changed his life."

J. LUIS CASTILLO / COURTESY OF CIMMYT, INT.

■ CIMMYT researchers examine plantlets regenerated from old, nonviable seeds. The regeneration technique, developed at CIMMYT, is important to gene banks around the world where aging seed stocks are gradually losing viability.

deserve the whole blame for supplanting land races, since "in a lot of cases, green revolution seeds were replacing seeds that had been introduced from someplace else." As well, he notes, CIMMYT's seed bank is preserving land races from around the world.

Do CIMMYT seeds require fertilizer and pesticides that poor Third World farmers just can't afford? This criticism was probably more accurate 20 years ago, when the organization focused almost exclusively on increasing yield. Today, funders are pressing the group to measure its success in broader ecological, economic, and social terms. One response at CIMMYT has been to emphasize drought resistance (which reduces the need for irrigation) and insect resistance (which reduces the need for insecticides) in its new varieties (see "A Full Plate of Projects," p. 170). And these new tactics help CIMMYT meet its original purpose: improving the life of poor farmers. Says Charlie Wedderburn, associate director of the maize program, "We're always looking for disease resistance, because the farmer doesn't have the money for fungicide or insecticide. We want to come up with what is truly the best solution, not just the maximum yield."

Wedderburn, an ebullient Barbadan who has been with CIMMYT since 1973, is a kind of spiritual anchor for the eager young technologists who want to harness their new techniques to the challenge of feeding the billions. At dinner in a restaurant in Poza Rica, after a long day in the muddy cornfield, Wedderburn tries to explain why he has followed CIMMYT to jobs on three continents. Finally, he settles on recounting a recent trip to a remote rural village in Pakistan with a fellow CIMMYT employee. They were walking along when suddenly a farmer came up and greeted his colleague with a bear hug, Wedderburn says. "My friend had forgotten that he'd given this farmer a variety of wheat 10 years ago. But the farmer didn't forget—it changed his life. This variety allowed him to send his children to school, and it made him prosperous enough to build a nice house. Of course, we had quite a feast that night. And if this happens once in your life, you are rewarded for everything. You get a satisfaction that is greater than anything else."■

Dave Tenenbaum, a free-lance science writer in Madison, Wisconsin, visited CIMMYT earlier this year.

Hitler's Gift to America

Andrew Szanton

Emigrés from the great European scientific community, which was shattered by the führer in the 1930s, catapulted the United States into world leadership in science.

Perhaps the United States should erect a great stone monument to Adolf Hitler for his dedication to advancing the American natural sciences.

—Eugene Wigner
Nobel Laureate in Physics

Fifty years ago this month, the U.S. Army dropped atomic bombs on Hiroshima and Nagasaki, which forced the Japanese military to surrender and ended World War II. These A-bombs not only ended the war, they also marked the awful triumph of intellectual genius mobilized for war. To a surprising extent, the physicists, chemists, and engineers who created the A-bomb were led by émigrés from fascist Europe. Since the war, these scientists

■ German-born Albert Einstein (wearing the overcoat) celebrated his 70th birthday in 1949 at the Institute for Advanced Study in Princeton, New Jersey. Four of the eight guests in this photo were, like Einstein, refugee scientists displaced by Hitler.

HOWARD E. SCHRADER / THE INSTITUTE FOR ADVANCED STUDY, PRINCETON, NJ

have exerted a powerful influence on the development of science, technology, and public policy.

Science as a transnational community

For some scientists, Hitler's seizing of total power in a nation with an intellectual history as proud as Germany's was nothing short of heartbreaking. Physicist Paul Ehrenfest, a close colleague of Einstein's, took his own life in 1933, in large part in reaction to the rise of Adolf Hitler.

But for many of the émigré scientists of the 1930s, relocating from one country to another was already an old habit. They were accustomed to shuttling from country to country, speaking several languages, studying abroad with older mentors, attending international conferences, eagerly sharing discoveries with friendly colleagues across national lines.

Many of the best scientists were treated with patient condescension by older members of their own families for having chosen careers that would always be enormously impractical, even "irrelevant." The scientists shrugged off this attitude. They loved their work. If a family can be defined as a unit descended from common ancestors, and without secrets, the best physicists in Europe made up their own family.

The pioneering work of Niels Bohr at the Institute for Theoretical Physics in Copenhagen, for example, was well known to men such as James Chadwick and Paul Dirac in England, as was the enigmatic, paternal Bohr himself. Italy's Enrico Fermi studied abroad at Leiden, the Netherlands, with Ehrenfest, then returned to do superb work in Rome, mentoring younger physicists. In Paris, Frédéric Joliot's closest collaborators were Austrian-born Hans von Halban and Polish-born Lew Kowarski.

But Germany was king. For several decades before 1933, Germany had the greatest science establishment in the world. It had an imposing roster of chemists and mathematicians but was most awesome in physics. The two most important fields in physics in this century have been relativity theory and quantum theory. Before 1933, Germany was at the heart of both fields. It was the center of the scientific family.

The array of physicists working in Germany around 1930 was truly dazzling. Albert Einstein topped the list. His special and general theories of relativity had shattered a whole paradigm and made him the greatest physicist in the world. Max Planck and Max Born, founders of quantum theory, stood with Arnold Sommerfeld, one of its pioneers; Max von Laue had won a Nobel Prize for discovering the diffraction of X rays by crystals; Werner Heisenberg had created the famous uncertainty principle; Viennese Erwin Schrödinger had pioneered quantum mechanics; and Wolfgang Pauli had coined his famous exclusion principle.

Young Edward Teller of Budapest, Hungary, served no fewer than four different intellectual apprenticeships in Germany. He studied chemical engineering and mathematics, in Karlsruhe, and also physics, first with Sommerfeld in Munich and then with Heisenberg in Leipzig. Finally, in 1930 Teller won a coveted assistantship at the German mecca of Göttingen, the medieval town in central Germany that also drew Robert Oppenheimer from America and Eugene Wigner from Budapest and Berlin.

LOS ALAMOS HISTORICAL MUSEUM

■ Hungarian-born Edward Teller, having studied with some of the greatest German physicists, came to the United States in 1935 and later became a major force in the development of the hydrogen bomb.

Hitler comes to power

Then in January 1933, Hitler came to power and ruined it all. One of his first acts as dictator was to ban all Jews from government employment. Since all but a few German universities were state-run, his edict forced Jews out of the universities.

It is a testament to how deeply these scientists revered German science and culture that so many of them refused to accept the obvious: that they now had no place in Hitler's Germany. When the Reichstag building burned in February 1933, giving Hitler the pretext he wanted to demand emergency powers to fight "Germany's enemies," even a scientist as wise and cynical as Pauli refused to believe that Germany would accept a dictatorship. And Heisenberg wrote hopefully that year: "In the course of time the splendid things will separate from the hateful."

A. RICHARDS / THE INSTITUTE FOR ADVANCED STUDY, PRINCETON

■ Born in Hungary, John von Neumann, one of the great mathematicians of the twentieth century and leader in the design and development of the first modern computer, lived in the United States for the latter half of his life.

Through the 1930s, Hitler and the Nazi Party, under the banner of purifying Germany, squandered an astonishing degree of its intellectual treasure. A great exodus began. Some 1,600 Jews in academic posts suddenly needed jobs abroad. Germany lost a quarter of its physicists. The lesser Jewish academics took whatever positions they could. They were the truest émigrés, arriving in foreign countries completely alone, unrecognized. The best of the exiled academics cobbled together academic appointments abroad. Victor Weisskopf went to Kharkov, Russia, then to Copenhagen, Cambridge, and Zurich, before settling in the United States. James Franck went to Copenhagen, then Baltimore. Pauli went to Zürich, then to the Institute for Advanced Study in Princeton, with Einstein and mathematician Hermann Weyl. Theodor von Kármán went to Caltech, where he ran an aeronautical laboratory.

In his memoirs, Hungarian physicist Eugene Wigner describes this way a pivotal conversation he had around 1933 with his childhood friend the great mathematician John ("Jansci") von Neumann: "Jansci, with his great realism, saw that there are times in this world when even great traditions lose all of their meaning. And Hitler had succeeded in rendering many of Europe's greatest traditions perfectly meaningless."

But not yet the traditions of science. The field of physics might be in an intellectual uproar, but the social world of physicists, edged though it might be with anxieties about status and direction, was still friendly, collegial, dense with familiar associations. Scientists still felt that whatever danger might threaten them came from political forces, not from atomic energy or any other scientific notion.

The British contingent

Most of the exiles came to the United States but not all. In 1933, those who moved to England included Michael Polanyi, the chemist, economist, and philosopher; Dennis Gabor, who in 1947 would be one of the inventors of holography; and Leo Szilard, the peripatetic physicist, biologist, and politico. Szilard moved on to America. Schrödinger went to Austria until 1938, then barely escaped to Oxford, from which he moved to Belgium, then Dublin. Hans Bethe went to Britain in 1933, to Copenhagen in 1934, and finally to a full-time post at Cornell University in 1935, where he has stayed. Teller came to the

Some 1,600 Jews in academic posts suddenly needed jobs abroad. Germany lost a quarter of its physicists.

United States in 1935, also after some time in England. The chemist Kurt Mendelssohn has left a lovely description of his escape from Germany to London:

"When I woke up the sun was shining in my face. I had slept deeply, soundly and long—for the first time in many weeks. I had arrived in London and gone to bed without fear that at 3 A.M. a car with a couple of S.A. men would draw up and take me away."

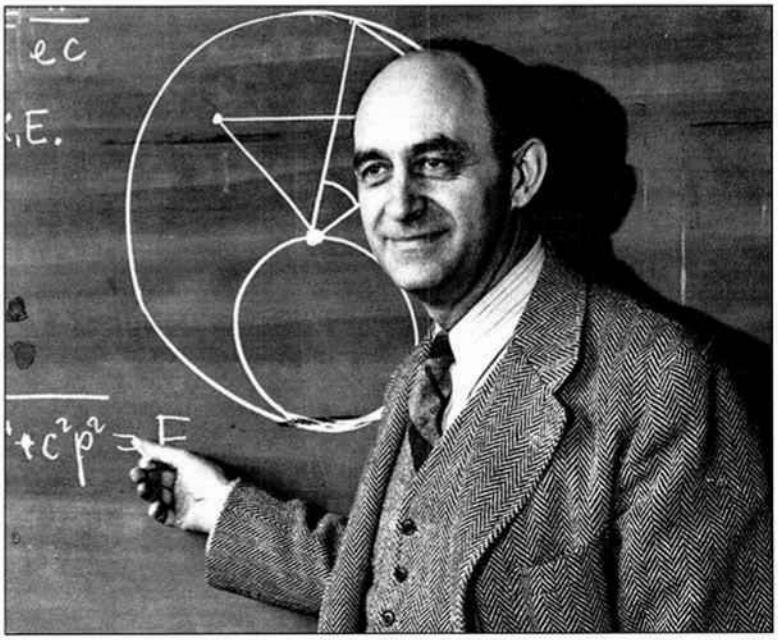
As with all émigrés, those who thrived in their adopted countries tended to be the optimists, the more flexible, the young. Einstein, revered in Princeton, was never really at home in the little New Jersey town that tried to adopt him. He wrote the queen of Belgium that Princeton was "a wonderful little spot, a quaint and ceremonious village of puny demigods on stilts." In a famous incident on Long Island in July 1939, Einstein vouched for what became the Manhattan Project in a letter to President Franklin Roosevelt—but he later did almost no work for it, preferring to putter in seclusion rather than become involved in American popular culture.

By contrast, Enrico Fermi moved to Leonia, New Jersey, 40 miles north of Einstein's Princeton, intently studied American comic strips and other bits of popular culture, and later directed, with great skill, the Chicago lab that initiated the first self-sustaining nuclear chain reaction.

Making war

One cannot make war with any relish without first ingesting large doses of fear or an intolerant nationalism. Before Hitler's rise, few scientists were fearful or politically active, and even fewer were nationalists. Most of the refugee scientists were cultured, and many had mentors and friends still living in Germany. Most wanted no part of military service. The culture they had been bred in discouraged joining the war effort of any country. To do so in a brand-new country was especially hard. They became military figures reluctantly.

But they did so, impelled by the logic of their own advances in nuclear physics and by their fear and hatred of Hitler. Reading the



LOS ALAMOS HISTORICAL MUSEUM

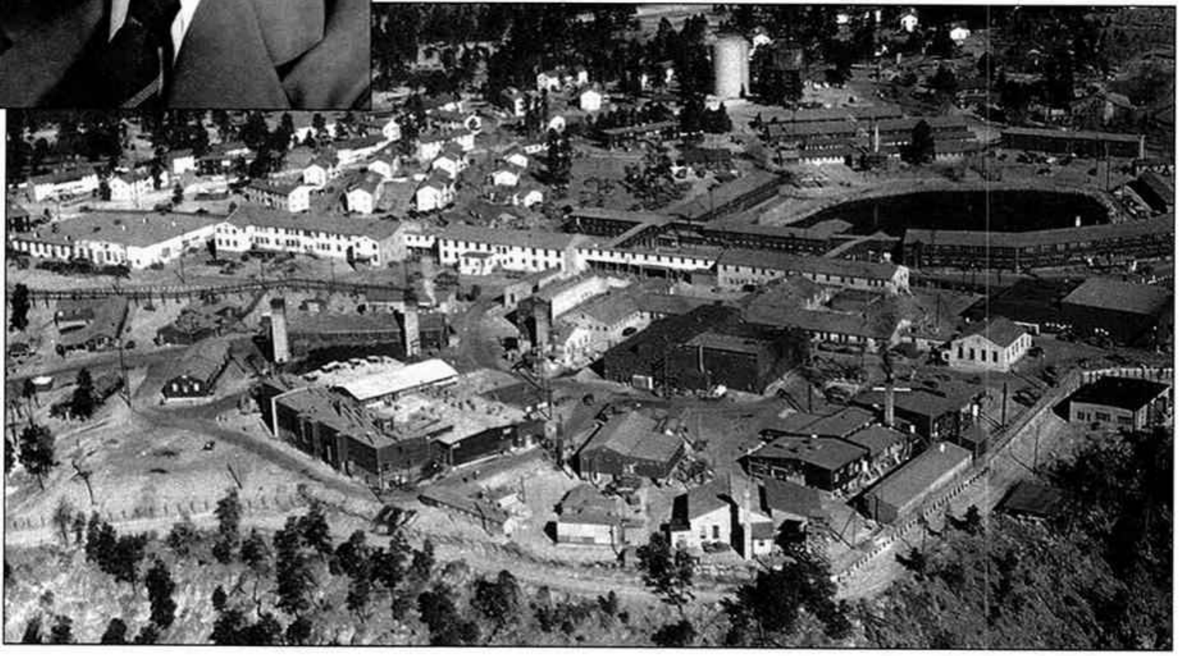
■ Italian-born Enrico Fermi led the U.S. team that produced the first sustained nuclear reaction. Four of his students at the University of Chicago, where he taught after the war, went on to win Nobel prizes.

accounts of those quartered at the Army installation at Los Alamos, New Mexico, during the war, one squirms sympathetically, even with the retrospective knowledge that the work paid off by ending the terrible war. Los Alamos and other Manhattan Project facilities placed a ferocious premium on secrecy and nationalism. Gen. Leslie Groves, who ran the Manhattan Project, did his job very well, overseeing an unprecedented operation under terrible pressure. But he took a very dim view of foreigners, intellectuals, and the free exchange of ideas.

One myth about World War II holds that Germany could have built the atomic bomb first if only the country had retained and enlisted the allegiance of all its Jewish scientists. We now know that even had the scientists conquered all the technical problems, Allied forces would likely have bombed the German factories well before they could have produced any atomic bomb.

But Americans didn't know that in 1942. After all, fission had been discovered in Germany. Not every great German scientist had emigrated, by any means; Heisenberg stayed in Germany, as did Otto Hahn, Planck, and von Laue. Hahn, who later won a Nobel Prize in Chemistry for his fission work, worked with Heisenberg during the war to develop a kind of nuclear reactor. Heisenberg decided not to emigrate, out of some combination of naïveté and personal and national pride.

One of the most moving moments of the war came in 1941 when the Dutch-born, half-Jew-



■ ***Left:*** **German-born physicist Hans Bethe was one of the refugee scientists who won a Nobel prize after relocating to the United States in the 1930s. His greatest single contribution to science was working out the details of the nuclear reactions that power the sun.**

Below: **The intellectual and planning center of the vast Manhattan Project that developed the atomic bomb was this remote Army installation near Los Alamos, New Mexico. Refugee physicists, mathematicians, and chemists from Hitler's Europe played a major role in nearly all aspects of the project.**

In the 50 years after 1932, Germany had just 3 Nobel laureates in physics; the United States had 43.

ish scientist Fritz Houtermans smuggled out word through an emissary named Fritz Reiche that Heisenberg could not resist working on the atomic bomb much longer, that the Allies should accelerate their own bomb program. This was the last vestige, taken at great risk to both Houtermans and Reiche, of the honorable prewar tradition that scientists had no secrets.

After the war

German science was devastated by the Nazis and took many years to recover. One rough gauge of this is in the nationalities of Nobel laureates. In 1901, a German received the first Nobel Prize in Physics, and when Heisenberg won the 1932 physics Nobel, he became the 11th German physicist Nobel laureate in just 31 years (in some years two or three winners share a Nobel prize). Just three Americans won the physics Nobel in those 31 years. But in the 50 years after 1932, Germany had just 3 Nobel laureates in physics; the United States had 43. In chemistry, the results were almost as striking. From 1901 to 1932 Germany had 14 Nobel laureates, and the United States only 2. Between 1932 and 1982, the United States had 24 Nobel laureates in chemistry, and Germany only 10.

■ **Three of the German scientists who chose to remain in Hitler's Germany were these Nobel laureates (left to right): Werner Heisenberg, Max von Laue, and Otto Hahn.**

COURTESY OF MAX PLANCK INSTITUTE / AIP NIELS BOHR LIBRARY

Emigrés from fascist Europe in the United States won many of these Nobels, and it was they who inspired, mentored, and taught many of those who won the rest. As science has become less of a family and more of an industry, U.S. scientists have led an international movement seeking to control the ways in which armies use science for military ends. The physicist as arms-control expert is now a well-known figure in our politics. At the same time, U.S. scientists have played a leading role in developing new technologies, ranging from computers to communications and aviation, that have found both military and commercial applications.

But in 1945 all this was new. Allied scientists were only beginning to realize that national leaders expected them to play high-profile political roles. Businessmen, professionals, editors—the "relevant" people in society—tended to publicly defer to scientists on many subjects about which these scientists knew little, including diplomatic and military strategy and prospects for world government. To the astonishment of many of their families and even to themselves, physicists in particular were suddenly terribly "relevant." They were authorities on the most relevant subject on earth: the nature of atomic energy and how it had changed warfare forever. ■

Andrew Szanton collaborated with physicist Eugene Wigner on Wigner's memoirs and is now collaborating on the memoirs of civil rights leader Charles Evers.

TABLE OF CONTENTS

FOLK WISDOM

183 **Good Company**
Folklore of the Chesapeake Bay Watermen: Part One
Peter Holden
Watermen of the lower Eastern Shore of Maryland and Virginia serve as active bearers of a storytelling tradition that has largely died out in America. First of a two-part series.

PEOPLES

190 **Yields of Blood and Milk**
Camel Husbandry among the Masai
Carolyn Cullinan
In an effort to relieve hunger and boost the Masai's fragile economy, camels are being introduced as an alternative livestock.

HERITAGE

200 **Feeding the Spirits**
Minnesota's Wild Rice Harvest
Daniel W. Marshall
Manoomin, or wild rice, is a unifying element among both the Lake State's Ojibwe tribe and its farming communities, reflecting the values and traditions of each.

CROSSROADS

210 **Galloping through Time**
The Independent States of Central Asia: Part Three
Ewa Wasilewska
A once-nomadic people struggle to rebuild cultural identity in the remote outposts of Central Asian civilization. Last of a three-part series.

PATTERNS

222 **Last Rites at Lamalera**
Whaling in an Indonesian Village
Tom Ives and Alison Moore
In Lamalera, the centuries-old practice of whaling from small wooden boats may soon disappear.

The abundant waters of the Chesapeake Bay. *Inset:* Sharing news, tales, and a good laugh is a morning ritual for Doug Nelson (behind counter), Carl "Kye" Tyler (far end of counter), and the patrons of Gordon's Confectionary.

GOOD COMPANY

Folklore of the Chesapeake Bay Watermen: Part One

Written and photographed by Peter Holden

At 7:00 A.M. every weekday morning, retired waterman Carl "Kye" Tyler, seventy-seven, climbs from his blue pickup truck and ambles into Gordon's Confectionary. Once there, he takes his customary place at the counter stool, or on the "liar's bench" out back. He comes to catch up on

the local goings-on, meet his friends, and spin tales.

Gordon's isn't much to look at, just a gray, two-story aluminum-sided building on West Main Street in Crisfield, Maryland, the "Seafood Capital of the World." Even so, Gordon's ranks high with its customers.

The eatery opens for breakfast at 3:00 A.M. and is *the* place for local workboat crews to gather for coffee before going out crabbing on the Chesapeake Bay. Gordon's has been serving breakfast, lunch, and dinner since 1924. With the food comes a sense of continuity and community.

"More crabs and oysters been caught in here than anywhere else in the United States," says Tyler. "Isn't that true, Doug?" As co-owner Doug Nelson gets drawn into the discussion, he listens and laughs. "He's got a good name," Tyler confides. "That goes a long way here, a long way."

What appears to be simply a coffee klatch of retirees telling tall tales is actually something more meaningful. They are, in fact, what a folklorist would call "active bearers" of an oral storytelling tradition. Though the tradition has largely died out in America, it still lingers in small communities of the lower Eastern Shore of Maryland and Virginia.

But Tyler doesn't see himself as an active bearer of tradition: He just enjoys telling tall tales and spinning a good yarn. Nevertheless, his stories of the waterman's life and hard times are a living heritage.

■ Gesturing for effect, Tyler relates a tale about the prodigious strength of a local captain. Many older storytellers excel at holding a listener's attention.

Skipjack Superstitions

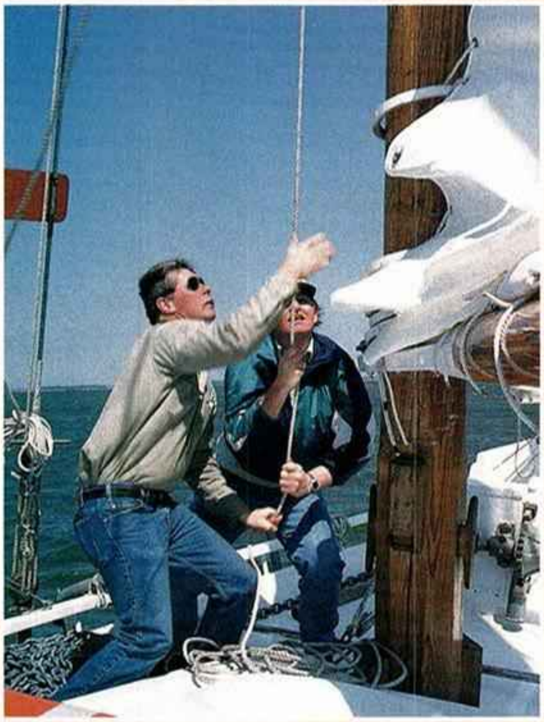
Life on a skipjack can be precarious. Watermen often contend with extreme weather conditions, and many deckhands have died after falling into the icy winter waters of the Chesapeake. Even in better weather, the skipjack captains still need good luck to locate oyster beds to dredge. Accordingly, many superstitions have sprung up around the Eastern Shore.

"Many stories have what you would call a 'hard-luck boat,'" says Capt. Wade Murphy, Jr., of Tilghman Island, as he relates the story of the *Golden Gate*, a two-masted bateau.

Bought in 1911 by Clarence Evans, the ship was a sleek craft with sharp lines, but Evans never made a dollar off of it. He discovered why when he had it lifted on to a railway to scrape the barnacles off its hull: The planking was black walnut wood. When he saw this, he abandoned the boat up a creek.

As any shoreman knows, black walnut brings bad luck. "Can't even bring black walnut cake aboard," says Murphy. "It's considered bad luck." For that matter, no chickens, cats, black suitcases, and, until recently, women were allowed aboard. If a waterman saw a woman while on his way to his boat, he would return home, where he could then restart his journey.

—P.H.



■ Hoisting the main sail on a skipjack. The hard, perilous nature of a sailor's work is one source of regional lore and superstition.

Physical strength

If you shake hands with a waterman, you'll notice two things: His hands are calloused and hard as weather-beaten leather, and his grip is firm but very gentle. It's as though he doesn't want to take a chance on hurting you, a city slicker.

Many of the region's folktales center around physical strength and endurance. When Tyler was a boy, things were accomplished by brute strength, and even today the waterman's life is full of backbreaking work. Tyler remembers a merchant who was unable to lift barrels of flour weighing over one hundred pounds

Big Lizz

Dorchester County's Green Briar Swamp has been the destination of many local treasure hunters, including Tom Flowers. Flowers, seventy-two, claims that many know where a metal box containing Confederate gold is located but that yet year after year it goes unclaimed because it is guarded by the headless ghost of a slave called "Big Lizz."

Big Lizz worked for plantation owner John Austin, whose estate was the center of a Confederate gold-running operation during the Civil War. Big Lizz was a Union informant.

Learning of her treachery just before his plantation was to be raided by Union forces, Austin took Big Lizz with him to bury his gold in Green Briar Swamp. Big Lizz dug the hole; then, as she bent over to plant a pine seedling that would mark the spot of the booty, Austin severed her head with a tobacco knife.

The slave owner took his secret to the grave, and though fame of the gold continues to spread, Big Lizz is said to guard it still. Supposedly she appears carrying her head in her hand, and many people have seen her moving around the edges of fields bordering the swamp.

Flowers says he had his own encounter with Big Lizz. Fifty years ago he ventured into Green Briar Swamp to locate the buried treasure. Flowers believed he had found the spot when he felt a presence hovering over him and touching his back. "It sure looked like I'd discovered a buried box," he says. "I looked up, and when I looked back down I didn't see anything." The sound of moaning and sighing surrounded him just before he fled the area. "It was really an eerie feeling," he concludes.

—P.H.

aboard a boat. The merchant asked the captain how to get the barrels aboard. The captain answered, "Just lift them in." The chandler said the captain could have the barrels for free if *he* could do so. The captain promptly set about lifting the barrels into the boat. "They were this wide," Tyler gestures. "Well, he had to just lift one before the chandler saw what he'd done."

"These old stories were passed down through generations and came from families that used to be known as 'good company,' " says Smith Islander Jennings Evans, a man knowledgeable about local lore. "They were known for witty sayings, and in certain situations they [the stories] come out."

As far back as anyone can remember—farther back than television or radio or the written word—there were storytellers.

A storyteller occupied a special place in many communities; he was the walking repository of local tradition, beliefs, and wisdom. With the intrusion of television, which requires only passive participation, this tradition has been largely replaced as a source of entertainment. People have forgotten how to talk to one another, how to spin a yarn or engage an audience. Older people on the Eastern Shore can remember how they used to

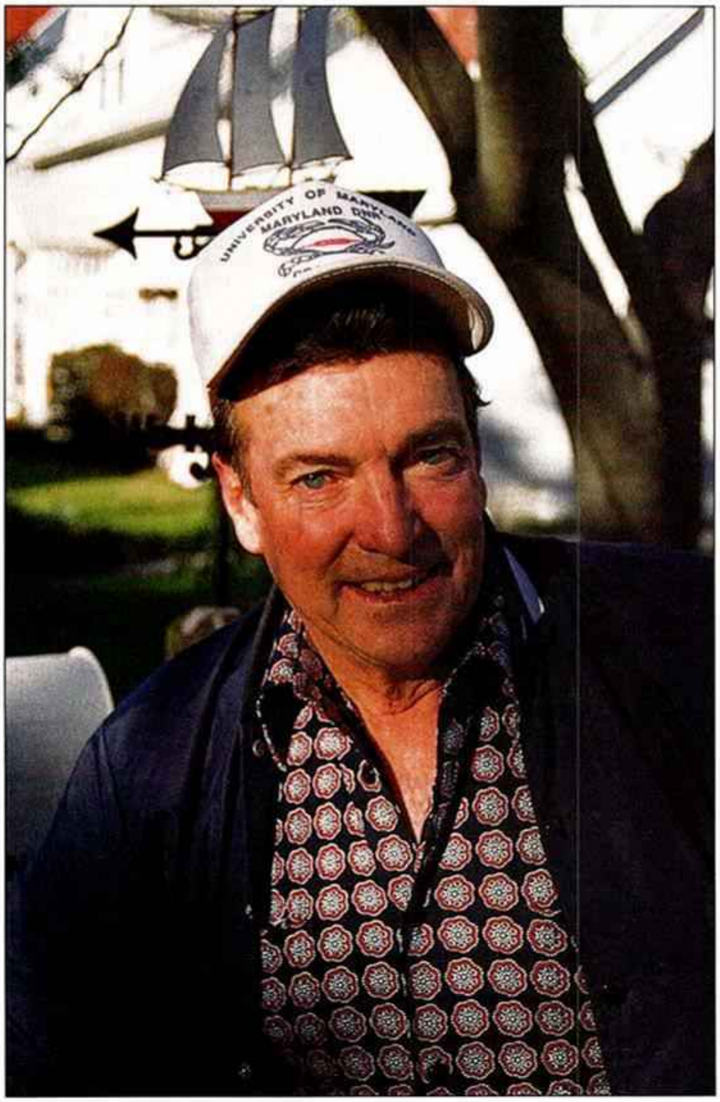
gather in the evening at the local store to hear stories and get the local news. But a lot of the old tales have become casualties of the modern age, whittled down through time until today they take on the nature of an anecdote with a quick ending. "The punch line comes in two or three lines now," says Evans. "People's attention spans are much shorter."

One modern way the old lore is still passed down is through the two-way radio. All workboats that ply the Chesapeake are fitted with one, facilitating communication when crabbing is slow. The communication has helped bind people together, and in some respects they are closer now than when the radios were not used. "Now people hear one another more often, and they talk things out," a waterman comments. "In a fit of depression they may say something funny. It really relieves the pressure if you're not doing well; in fact, it's a way, I believe, to show you can handle pressure." Maybe some stories were formulated during the workday lull.

Crabs

Sometimes, stories are told to test the audience's gullibility. One example is the tale of a pathological blue crab.

Many years ago, a waterman by the name of Thomas Crockett fished the crab out of a trap in spring and put it in the holding float of his workboat. In Septem-



■ **For generations, says Smith Islander Jennings Evans, the stories and the people who tell them have been known as "good company."**

Sweet Chariot

Harriet Tubman, one of the best-known "conductors" of the Underground Railroad, is reputed to have passed along the Eastern Shore during one of her trips north.

Late one autumn evening, she made her way to Bucktown for a rendezvous with her parents, old Ben Ross and Harriet Green. She had sent word ahead that they should wear blindfolds; neither one must speak, nor would they be spoken to.

Slaves in the vicinity knew she was approaching because a very special song filled the air: "Swing low, sweet chariot, Coming for to carry me home." They knew that the singer of "I looked over Jordan" was no farther away than the Choptank River, and, indeed, Harriet was already headed for her home in Bucktown. The meeting was a silent one, full of loving embrace. And then Harriet left with a small band of younger slaves.

In the morning, confusion reigned. A slave owner confronted Ben and Harriet with a Bible; he knew they were devoutly religious and wanted to trick them. He placed the book in Ben's hand and asked, "Ben and 'Rit, have you seen or heard from Harriet?" They replied, "We ain't seen or heard from Harriet."

—P.H.

ber, the crab was still in the float, because every time Crockett tried to fish it out, the crab came at him, snapping its claws. The waterman eventually transferred it to a canoe and decided to teach the crab a lesson. He jumped down into the canoe, but the crab tripped up the two hundred-pound waterman, causing him to skin both his knees. Crockett eventually eased the crab overboard with a net and took off to shore in his skiff, yet all the while the crab followed, snapping its claws. The waterman got to shore and pulled the skiff up on the bank. But the crab came right to the water's edge after him.

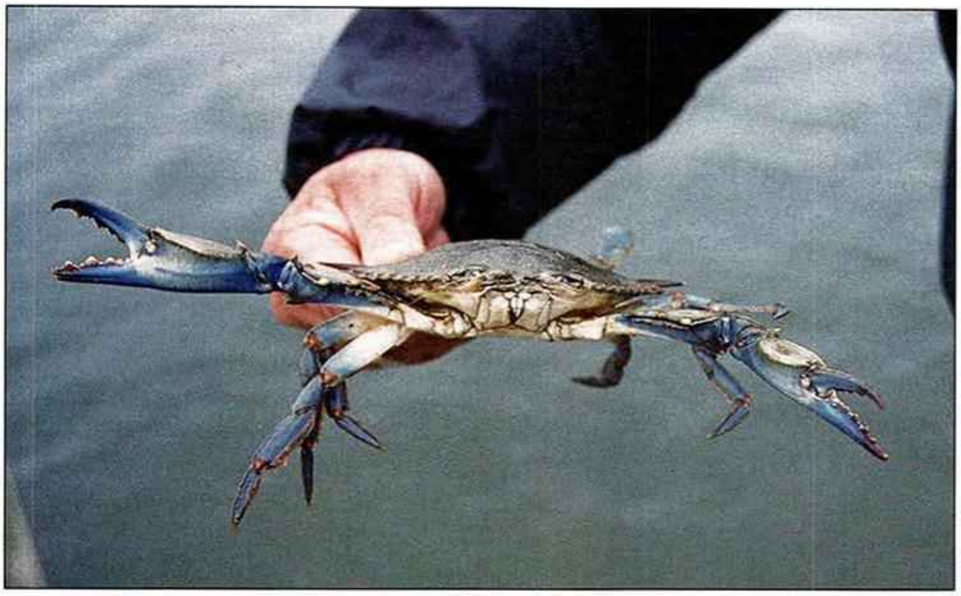
In this story, the teller is trying to convince his listener that crabs have human traits, like a desire for revenge. After all, watermen have a close association with the "beautiful swimmer": Their livelihood depends on the crafty crustacean.

"You see how far you can go to stretch someone's intellect," says Evans. "It all depends on the mood. Sometimes, someone will call another a liar and leave in a huff. There's at least a grain of truth in the tales they tell here. It's up to you how much you can absorb, to separate fact from fiction."

For posterity

Evans doesn't see himself as a folklorist, although he does know a lot of the old tales. Instead, he refers to Alex Kellam, an ex-waterman turned insurance salesman who had a huge repertoire of tales to amuse his customers.

"That was Kellam's forte," says Evans. Kellam was so good at engaging an audience that he eventually toured colleges and spoke at the Smithsonian Insti-

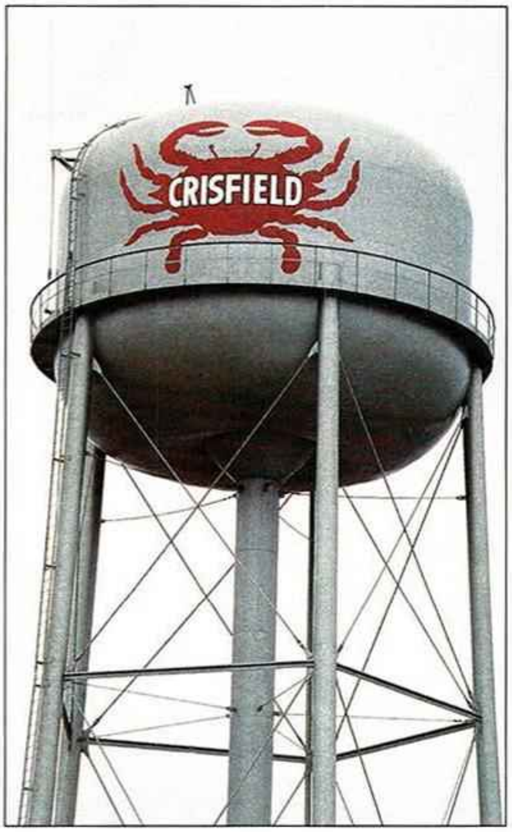


■ *Left:* **In some legends, blue crabs can be difficult to hold at bay.** *Below:* **A local landmark suggests the social and economic importance of crabs to the region.**

tution, reciting the old sayings in his deep brogue.

Kellam passed away in the 1980s. But George Carey, a noted folklore researcher, tape-recorded many of the old tales in the 1960s for the Folklore Archives at the University of Maryland, College Park.

To get someone to open up and share the old stories is a difficult proposition. Often, a retired waterman will not admit to knowing any folktales and will put the inquirer onto someone else. But if people will listen, others will talk. Carey listened, although he found he was more tolerated as an outsider than fully accepted, because the waterman sees himself as very different from the city dweller. Because of Carey's work, many good stories have been preserved.■

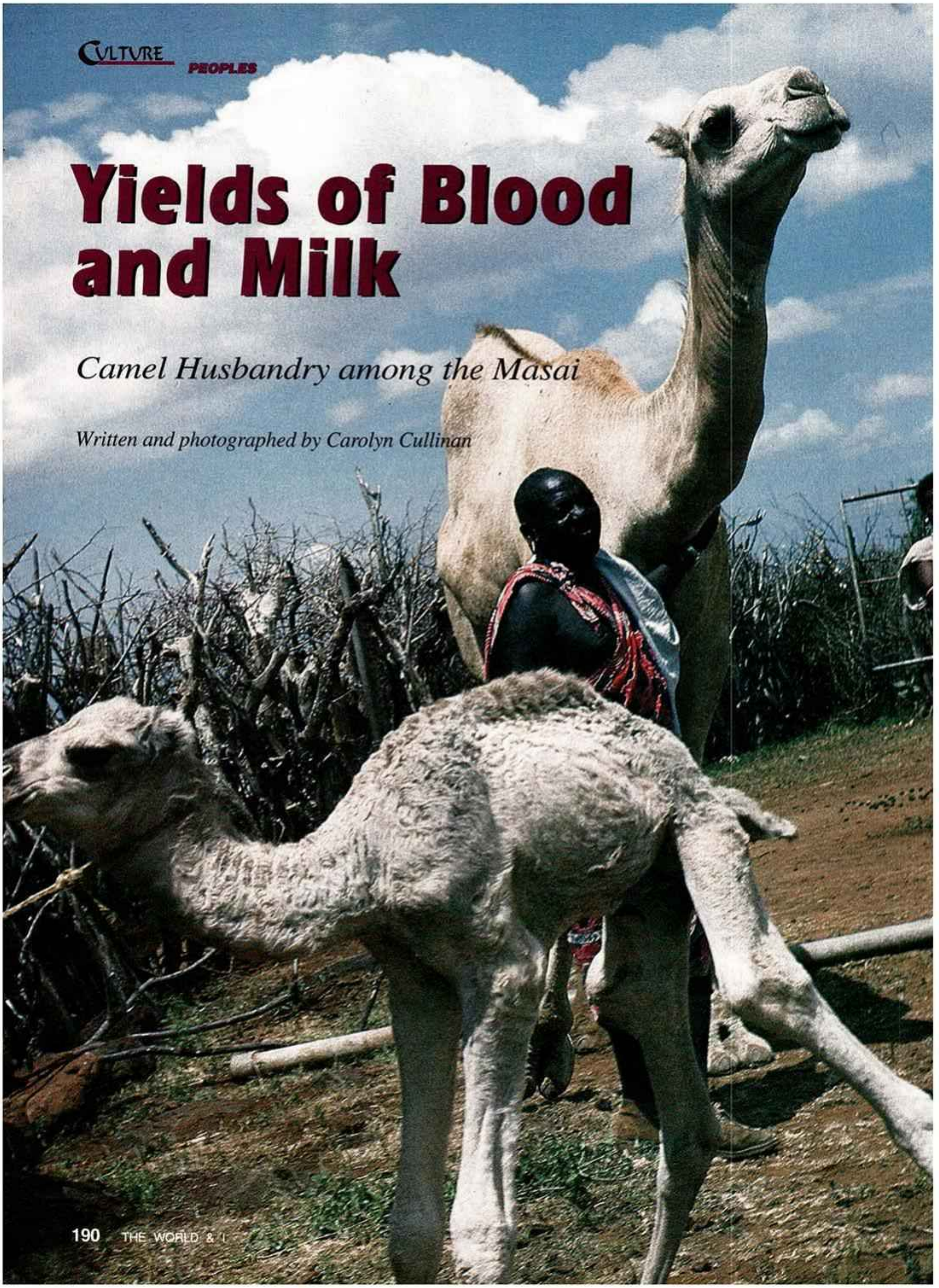


Peter Holden is a photo researcher for THE WORLD *& I and a free-lance photojournalist who specializes in environmental and community issues connected with the Chesapeake Bay. This is the first of a two-part series that will conclude in the September 1995 issue.*

Yields of Blood and Milk

Camel Husbandry among the Masai

Written and photographed by Carolyn Cullinan



Masai land stretches from the western side of Nairobi to the Rift Valley wall, on the western side of the Mara, and to Lake Natron across Kenya's southern border. Masai can be found at the western edge of the great Mount Kilimanjaro and covering the steppe in northern Tanzania.

Despite their numbers, the integrity of the Masai people's culture, customs, and identity is under greater pressure of dissolution than ever before. The pressure comes not from integration or clashes with other tribes and clans but from the invasive forces of foreign aid and government demands, the legacies of the colonial protectorate, and, ironically, the Masai's needs and nomadic life-style.

The two greatest needs of the Masai are food for themselves and adequate pasture for their cattle. But repeated drought, overgrazing, and government restrictions on land use have depleted available grazing range. In many respects, the Masai have fallen victim to their own nomadic life-style, and attempts to regulate the "wasteful" grazing habits on which Masai cattle depend have proved futile. Cattle have a relatively fast digestive process, require grass year-round, and need extensive grazing lands. Once pasture is reduced to barren range, the Masai abandon it to seek new grasslands. This nomadic freedom is not possible in the modern era. In all probability, the problem will worsen. A growing Masai population is increasing the demand for larger herds of livestock, yet "cattle quality is poorer today than ever, with fewer cattle per Masai than before," says Greg Johnson, a missionary with Christian Missionary Fellowship (CMF) in Narok.

Cattle are failing the Masai today, but camel husbandry may prove more appropriate. Introduced to the Masai in various efforts over the last twenty years to relieve hunger and boost the Masai's fragile economy, camels are being accepted as an alternative livestock. They have not been received easily, but following several severe droughts in recent years, many Masai have come to realize the potential benefits of camel husbandry. Indeed, the great yields of milk, blood, and meat available from the camel are challenging the Masai's traditional love and need for cattle.

■ ***Opposite:* Rancher Morani Ole Sepere with two of the camels he is raising on his six hundred-acre farm near Kajiado, Kenya. *Above:* A Masai herder stands guard over his camels at the Christian Missionary Fellowship compound outside Marok.**

An adaptable browser

Camels adapt well to the semiarid ranges of southern Kenya and northern Tanzania. Browse is both prolific and suitable. Indeed, "Somalis have begun taking their camels [into Masai land] south of Nairobi from the Athi River area to the Tanzania border to fatten them up for sale at a very good price," says Kim Hartley, a cofounder of Camels International. "Masai land is

stimulating their neighbors' economy."

The camel's basic physiology allows it to travel thirty miles a day, go without water for up to forty days after eating green forage, and survive for two weeks without water at all. The abundance of fat that is the camel's hump is an effective source of stored energy. As fat is burned, energy and water are produced and the hump shrinks. The camel can lose 30 percent of its body weight. When it finally locates water, the camel drinks as much fluid as it has lost. While it drinks, fluid moves from the camel's stomach cells to its outer body cells. This mechanism enables it to drink for replacement and for future needs. Thirst causes body temperature to rise, and the camel will urinate on the back of its legs to decrease its body temperature.

Although water is scarce on the Rift Valley floor, competition for browse in the area is nominal. (Goats, the other significant browsers, feed on shorter grasses than do camels.) The camel converts patches of green acacia, cactus, and thorny brush into calories, protein, and vitamins in the form of milk and meat. Camels graze more uniformly than do cattle as they move across the land, and they select a diet that can be digested over a greater period, thus prolonging energy conservation. Studies show that camels hold food particles in their stomachs longer and in greater volume than do cattle. Even during the dry season, camels are not forced ahead due to range depletion or water limitations.

■ **Range depletion and drought have combined to make raising cattle less practical. *Right:* Grazing on the depleted grass of a Kenyan ranch. *Opposite above:* Irrigating a ranch. *Opposite below:* Seeking relief from the sweltering heat.**

Camels can provide for many Masai needs. The camel produces up to four liters of milk—in three or four milkings—per day, up to four times the yield of cattle. A nursing camel can produce up to ten liters in excess of that needed for her calf. Because of their milk yield and ability to reproduce, female camels are almost never sold or butchered. If the camel is

slaughtered, it provides great amounts of meat. Like their northern neighbors, the Rendille and Samburu, the Masai supplement the milk in their diets by mixing it with blood. They bleed both cattle and camels about once a month. An arrow is shot into the camel's jugular vein, and one to two liters of blood is collected. The wound is closed with dung. With the advent of greater volumes of milk from camels, plus cattle and goats' milk, the need for this supplement is decreasing.

Camel hide and dung form important building and rainproofing materials for Masai huts and villages. Camel hair can be woven into tents, carpets, and clothing. Camels are also powerful pack animals, having a strength that donkeys and cattle do not possess. The Masai do not ride camels, which can instead be used to carry a 350-kilogram pack, pull a plow, or draw water.

The greatest benefit of camel husbandry is in increased food yields. This fact is finally being recognized by food relief sources. Indeed, Oxfam, the volunteer British aid group, and other organizations are beginning to support hunger relief projects centered on camel introductions rather than distribution of "a bag of food." One female camel can give food, milk, and blood for many years, while reproducing. A bag of food is a onetime meal and no more than that, which must first pass the likely corruption of distributors. "The initial cost of a camel, especially a female, may be more, but the dollar invested in a camel for food is a far more substantial investment than the dollar for a bag of food," says Hartley. In addition, pride and self-esteem from caring for their animals and managing their own needs diminish Masai dependency on aid from Kenya's government and foreign agencies. There is also less reliance on tra-

Ngai's Gift of Cattle

Laibons (traditional medicine men) are responsible for making rain, ensuring fertility, sanctioning raids, and providing magical protection for warriors. These spiritual leaders believe that camels bring drought because they are found on desert lands. Needless to say, laibons object to camels' presence in Masai territory. However, those Masai who do have camels want more. Thus the traditional and the pragmatic conflict in Masai culture.

Camel husbandry symbolizes how the values and integrity of Masai heritage are being challenged and redefined. Encouragement to accept the joint-ranch family as a basis for domestic structure affects traditional community and family values. Although some Masai are interested when Christian education is offered in missionary schools, acceptance is a personal, not collective, cultural decision.

As their cultural barriers disintegrate with exposure to twentieth-century life-styles and values, materialism and greed have arisen. But the Masai continue to be a pragmatic people. Concepts of sin and death are not an issue, and they do not believe in an afterlife. The Masai fear nothing but Ngai, their creator and god.

Ngai, husband of the moon and creator of all things, is believed to live on Mount Kilimanjaro. The Masai believe that Ngai created the cow exclusively for their use and that no other tribe or nation ought to possess cattle. The Masai revere the cow as "their heart outside their body," according to missionary Greg Johnson, and cattle play a significant role in Masai spirituality and nomadism. The Masai feel driven to search for new pastures for their sacred cattle, and even as late as the early 1970s the sight of cattle in the possession of others triggered spontaneous raiding. This relentless thieving earned the Masai their reputation for ferocity. Raiding almost never occurs today.

—C.C.

ditional subsistence methods of hunting wild game (already in need of protection) and a nomadic life-style.

Encouraging camel herding

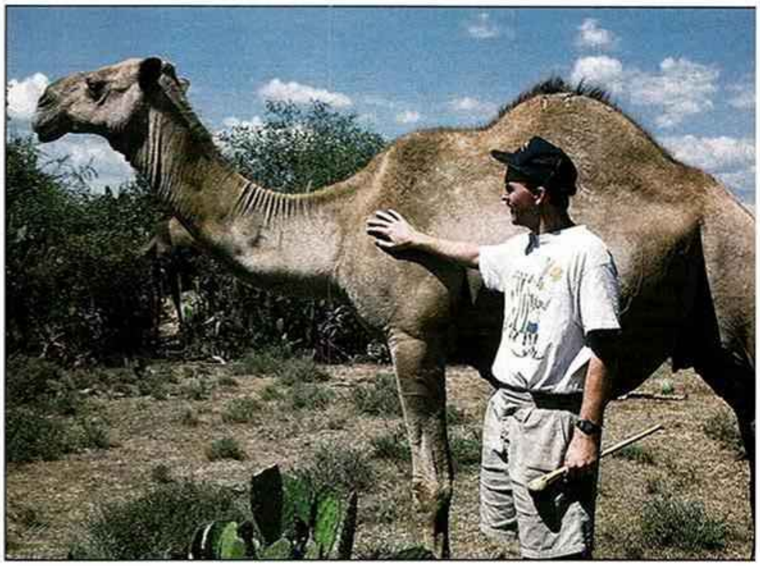
One pioneering effort to encourage camel use was spearheaded by Brian Hartley, a British expert in Ethiopian and Somalian livestock and the father of Kim. In the early 1980s, Hartley noted that the bush had changed. There was less game, less pasture grass for wild game and domestic cattle, and the scrub had grown higher. Hartley also noted that, in the drought of 1983–84, the Samburu lost all of their cattle while their neighbors' camels not only survived but continued to provide food. Hartley and the Samburu became believers, and the Samburu began to convert to camel husbandry, trading four cows for one camel.

In 1987, Hartley walked twenty-five transport camels from Kilimanjaro to the Rift wall above Lake Natron, just over the border of Tanzania. The animals were able to live on the available browse. Since that success, Brian and Kim have been dedicated to introducing camels among needy Masai and stocking the feeding centers. In February 1995, Kim walked thirty-three camels from Nanyuki to Lake Natron to augment the herd. The Hartleys expect that the Masai food requirements and nomadic life-style can be maintained if camel husbandry is developed. As Kim points out, "Camels have, at least once, occupied Masai territories as far south as Olduvai Gorge in northern Tanzania, where fossilized camel bones have been found." The discovery offers scientific validation that camels have successfully lived in the region. The Hartleys' work has proved that camel husbandry is

indeed viable, and they hope that the Hefer Project, an American aid program, will support them in placing more camels on the border at Namanga. They created Camels International "to collect contributions for promoting their programs for camel production and distribution," says Kim, who adds that the Austrian government has shown interest in this effort.

Farm Africa, a Canadian organization based in Nanyuki, in central Kenya, has developed a crossbred camel stock—mixing the Rendille's Pakistani camel with Somali camels to gain higher yields of milk, then introducing the Turkana camel for transport and strength—that is suitable for Masai needs. Farm Africa oversees the stock's population growth and "makes these camels available for Masai ownership and for their food centers," says Piers Simpkon, a project assistant. Farm Africa also offers workshops where Masai can study camel husbandry and learn the potential value of the camel to their culture.

The Indianapolis-based CMF also offers camel husbandry education for Masai in workshops at its base in Narok. Five years ago, aided by funds from the Canadian International Development Agency (CIDA), Johnson purchased a herd of seventeen camels from a private ranch owner in Rumuruti and Farm Africa. The animals browsed on CMF land before being sold to Masai in the Loita area on a "buy one, get one free" basis. CIDA followed up with animal husbandry educa-



Foreign aid programs have been instrumental in promoting camel husbandry among the Masai. *Above:* Missionary/veterinarian George Mixon examines a pregnant camel. *Below:* Vaccinating the herd against disease.

■ *Right:* At home on the CMF missionary compound. *Below:* Representatives of several generations of a family gather at the gateway to the complex. *Opposite:* Masai women assume many responsibilities for care of the camels, including milking the animals.

tion. Masai who bought one camel (for about U.S. $300–400) with funds from selling their goats and cattle were given an additional animal. In July 1994, Johnson walked another sixty camels (also bought from Rumuruti and Farm Africa) to Loita and sold them on the same principle. Meanwhile, a breeding herd is kept browsing on CMF land, according to veterinarian George Mixon.

One attempt to cultivate balanced grazing practices is now in effect for Masai living outside of Kajiado, south of Nairobi. Since 1987, a Dutch-funded Kenyan government relief effort, the Arid and Semi-Arid Land Program (ASAL), has developed joint-ranch family alliances, wherein several neighboring families open the boundaries of their property so that livestock can mingle to browse and graze while watched over by a young boy from each family. As many as 330 camels—mostly from Farm Africa stock—can be shared among fifty joint-ranch families. Browse and graze land tracts are larger than most one-ranch parameters, and the tracts are rotated to prevent depletion. More land is then available for feeding cattle, which tend to graze one area, especially around water. ASAL camel stock is being developed at the Naivasha Animal Husbandry Research Station close to Nanyuki.

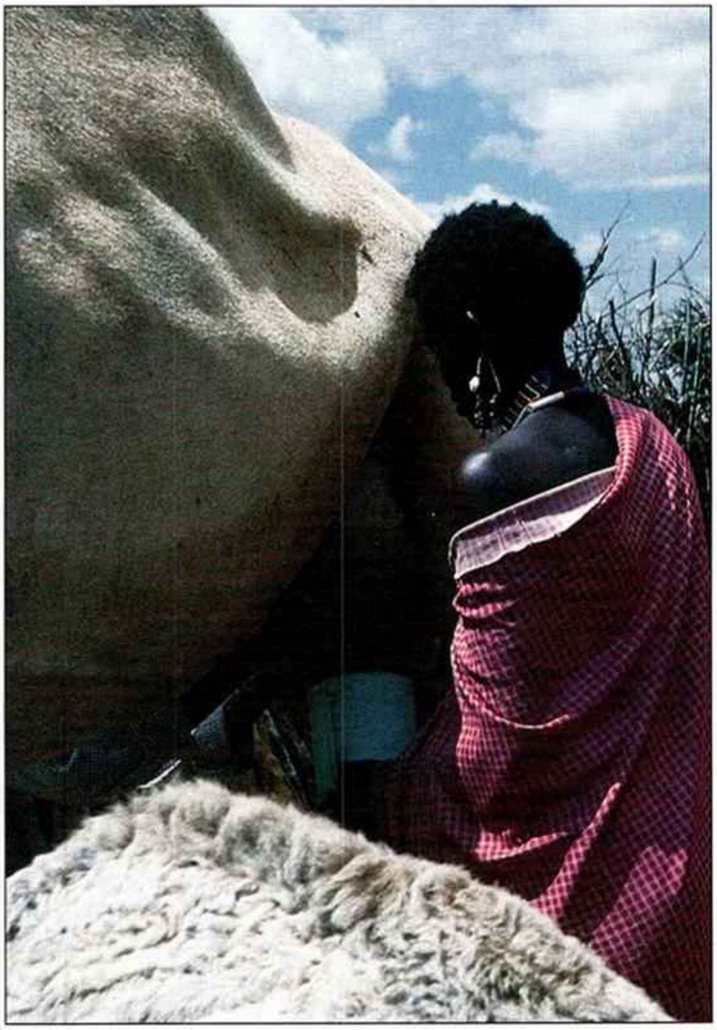
Limitation of camel stock due to disease is not a great problem, but it should not be overlooked. Trypanosomiasis is spread by the tsetse fly, which injects a parasite into the camel's blood. The parasite sucks the blood, destroying the white and red blood cells so the camel becomes anemic and dies. This fly is a problem during the rainy season and around damp areas like rivers, as well as in dry bush country. Mange is another problem. Other diseases are mostly treatable with available medicines.

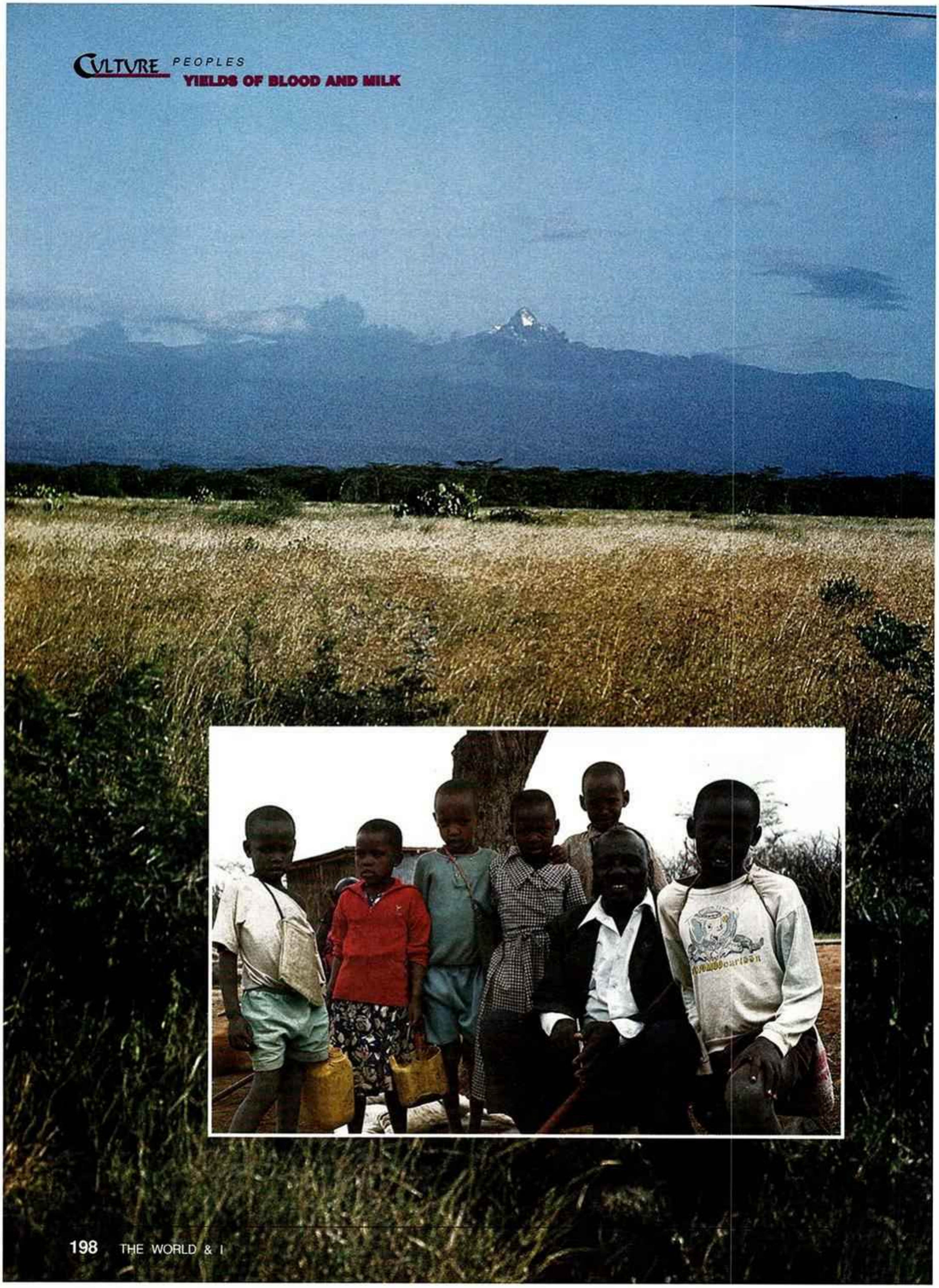
Ecologists agree on the necessity of protection from outbreaks of human and animal diseases, which could inflict disastrous effects on other communities. They advocate educating the Masai how improper use of the environment damages the stability of forests and rivers. Ecologically sound, camel husbandry seems the logical and immediate solution for food supply and protection of the land.

Wealth in camels

Livestock is an indication of a Masai's wealth and is a source of great pride to the elder or leader of the *boma* (village). Four or five extended families live in each boma, and they share in the benefits and responsibilities of the livestock. The leader's eldest son is given livestock from his father's lot at marriage and receives the majority of the remainder following the leader's death. A daughter receives nothing from her father at marriage, but she does command a bride-price from the husband-to-be's family, which can be paid in livestock. Wives become their husband's property. The first wife builds a house for her husband, and subsequent wives—in order of seniority—do the same. The husband gives a portion of the cattle received from his father to his wife as food for her and their children.

Many responsibilities for camel care are assumed by women. They milk the camels, sell the excess milk, and take charge of selling the camels. Women also pack the camel for transport of supplies. Men traditionally oversee the livestock, spraying and dipping for pests and treating diseases. Young boys tend the herd as it grazes during the day, then separate the animals into fenced enclosures at sun-





■ *Opposite:* **Mount Kenya looms in the background of an expanse of range.** ***Inset:*** **Missionary schoolchildren with an elder.** ***Left:*** **Bare grounds offer cattle little feed while camels find abundant graze on thickets in a Kenyan village.**

down to provide overnight protection from predators. Camel-ranch studies indicate that potential growth of the camel population may be limited as a result of a diminishing Masai labor force. Established family structures and loyalties are becoming increasingly unsettled, and many boys and young men prefer to attend school rather than pursue traditional life-styles.

As camels become part of their culture, camel milk has strengthened the economy. Masai sell their surplus to the inhabitants of the small townships that dot Masai country. Camel's milk is much like unpasteurized cow's milk in taste and consistency. To preserve the milk longer than its twenty-four-hour shelf life, it can be condensed with sugar. This gives it the consistency and color of honey. For a Masai camel owner, offering milk to visitors is a considerable source of pride, and it is no longer uncommon to be offered camel's milk with tea or coffee in business premises.

Selling milk is only one source of income that may be available to the Masai within the next few years. Returns may be generated from Kenya's growing tourist trade. Camel treks are now offered by tour companies in central and northern Kenya, non-Masai areas. The possibility of developing camel treks as a lucrative enterprise is very real. However, new roads and increased maintenance costs due to erosion from lack of vegetation are compounding the effects of degraded range. They are the ongoing effects of tourism. At the same time, tourist complaints about diminished bush experiences are growing.

What the Masai ultimately do with camels remains to be seen. Increased camel production will diminish dependence on cattle, overcome hunger, and preserve grasslands but will only be possible if the Masai can culturally accept the camel. Perhaps a significant alteration in Masai life-style has begun with the joint-ranch families, but time alone will determine just what role camels will play in the Masai's future.■

Carolyn Cullinan is a free-lance photojournalist. This article was researched in Kenya in early 1995.

Feeding the Spirits

Minnesota's Wild Rice Harvest

Written and photographed by Daniel W. Marshall

Enticed by a rich harvest, Darwin and Dorothy Stevens have riced together each of their forty-three married years near their home in northern Minnesota. Once the* manoomin, *or wild rice, season opens in the fall, the

Stevenses pile into their black pickup and head to their favorite landings. They take the essentials of ricing: an aluminum canoe, a spruce sapling that has been crafted into a sixteen-foot pole, some tobacco, and a pair of lightweight, eighteen-inch cedar sticks, custom carved to match Dorothy's grip.

The Stevenses live on the White Earth Reservation, one of several for the Ojibwe, or Chippewa, tribe, and when ricing they might recall the harvests of their youth, when dozens of Ojibwe families set up camps to harvest and process the rice. The grain they gather is still a staple throughout the year, though it no longer appears only on Ojibwe tables. Now it is primarily a cultivated crop grown in artificial paddies in Minnesota and California, harvested by machine, and eaten by anyone but the Ojibwe, who prefer their own rice.

Sixty miles from White Earth, near the town of Kelliher, John Florhaug can be found in late summer, driving his eleven-ton, half-track combine through his drained, rectangular rice paddies. The technology used to harvest wild rice was developed in the 1950s and '60s and perfected in the 1970s. The crop has brought a level of prosperity to small farming communities in northern Minnesota that they once could only imagine.

■ *Left:* **Knocking rice into a boat plying the shallow waters of northern Minnesota, Darwin and Dorothy Stevens reaffirm a harvest ritual they have practiced for forty-three years.** ***Opposite below:*** **Detail of a brochure extolling Manitok wild rice.** ***Below:*** **Promoting a wild rice celebration.**

In celebration, Kelliher and its neighbor, Waskish, have held an annual wild rice festival for the last twenty-three years. The community affair includes a parade down Main Street, dunking booths, a dance in the Sunset Lodge, and a contest to crown the Minnesota State wild rice queen.

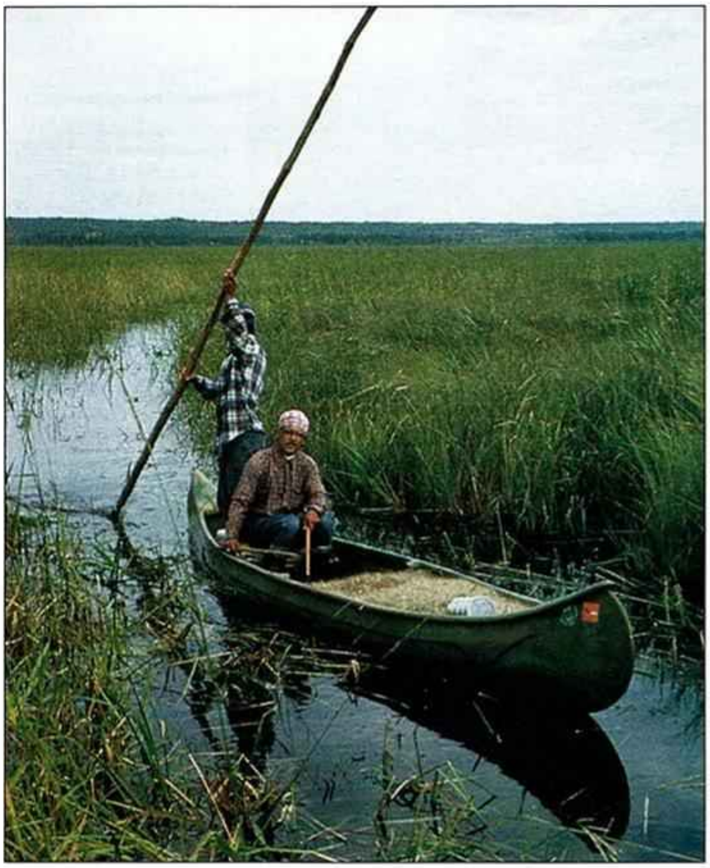
Whether it is called manoomin or wild rice, this grain is a unifying element within these separate but contiguous communities, reflecting their values and traditions.

The traditional Ojibwe harvest

Darwin dons his gray felt bowler and drags his boat to the water. Once the pole, knockers (cedar sticks), and a bottle of soda are in the canoe, he and Dorothy step into the boat and fall silent.

"Miigwetch" (thank you), she says, taking some tobacco from a pouch and sprinkling it on a lily pad. "We thank the Great Spirit for anything we are getting," explains Darwin. "Do this, and you'll never tip over." His concern is understandable, as he soon stands up in the back of the canoe, pushes his pole into the muddy lake bottom, and slides the craft away from shore.

One wrong move and both would find themselves sinking in the soft mud that covers the fertile wild rice beds. Though the water is rarely more than four feet deep, the pole can sink several feet into the mixture of peat, silt, clay, and decaying rice stalks that makes up the lake bottom. Tree forks or metal "duck's feet" are spliced onto the bottom of the poles for greater traction.



■ *Above:* Alan Vleck (poling) and Andy Goodwin return from the lake with about 350 pounds of rice. *Right:* The plant as it looks in mid-July. *Opposite:* A flowering rice stalk.

While Darwin maneuvers the canoe, Dorothy puts on her gloves, grabs her cedar sticks, and begins the harvest. First she curves her right arm and a knocker around a bunch of rice stalks and bends them over the side of the boat. As that arm holds them down, her left arm gently strokes the other knocker over the panicles, causing the ripened rice to fall to the bottom of the canoe. Then she releases the stalks.

During this entire operation, Darwin pushes the boat forward and Dorothy repeats the same motions, alternating the sides of the boat. Harvesting the stalks takes little more than five seconds, and several thousand bunches will be visited before their canoe is full of several hundred pounds of green rice.

The Stevenses will spend most of the day in silence, as the hulls of wild rice have a barbed beard that can be painful if swallowed. The music of their day is the steady rustle of the boat's hull, the rhythmic swish of expert ricers knocking the grain into the canoe, and the occasional chorus of waterfowl being disturbed from the feast of rice.

After several hours, Darwin may pole the canoe to an impromptu meeting place in the center of the lake. Ricing season is the one time of year that many Ojibwe give up their modern jobs and return to the gathering traditions of their ancestors, so many reunions occur on the lakes and in the evening.

Andy Goodwin, a member of the White Earth band, leaves his job as a welder in Bemidji one week each year to harvest wild rice. "My parents did it and told us stories about the rice," he says. Ojibwe rice to keep their heritage alive, stock up on some rice for the rest of the year, and, usually, to earn some extra money.

Tony Senogles, who works at the recently opened White Earth Casino, rices at least three times a week during the four- to five-week season and earns an extra thousand dollars. But, says Senogles, "I do it to keep the tradition."

A culture under pressure

Ojibwe traditions have died slowly over the course of European settlement. From the first contact with French fur traders in the seventeenth century, the Ojibwe exchanged pelts and wild rice for products brought by civilization's advance: guns, iron kettles, and rum.

At that time, they lived on the east end of Lake Superior at the edge of the rice region. Soon, though, in search of beaver and wild rice, they pushed the Huron, Sauk, Fox, and Dakota tribes out of the region that is now northern Minnesota and Wisconsin. Battles continued until the mid-1800s, when the Ojibwe forced the Dakota (or Sioux) west of the Red River.

Once the demand for beaver ceased in the 1820s, Americans didn't bother the Ojibwe until the reservations were created several decades later. Luckily for the Ojibwe, theirs were mostly established on traditional hunting and gathering grounds. Unfortunately, increasing demand for land and timber caused the government to "reinterpret" many treaties, opening Ojibwe territory to European settlers and lumbermen.

The patchwork of plots they were left with was insufficient to ensure the natural wealth they had once relied on, and the result was disastrous to their culture. As lumbermen cut down old-growth birch trees, there were no large pieces of bark left to harvest. The art of making birch-

A Grain by Any Other Name

The Ojibwe word *manoomin* has been popularly translated as "good berry" or "good seed," although linguists say the exact meaning is uncertain. Wild rice is the most popular English name for this crop, but it has also been called Indian rice, water oats, and *riz sauvage*. The French, the first Europeans to see the grain, dubbed it *folle avoine*, literally, fool's oats or wild oats. Botanists call wild rice *Zizania aquatica* and consider it a member of the grass family.

Wild rice once extended throughout the upper Mississippi and Ohio valleys into Canada and to the eastern seaboard. Both the Seminole in Florida and the Seneca in New York once harvested it. One hundred years ago, wild rice still grew in the Potomac River and Chesapeake Bay.

The destruction of its habitat constricted wild rice's range. Because the plant prefers slow-moving, clear water, wild rice suffered as wetlands were drained and rivers channeled.

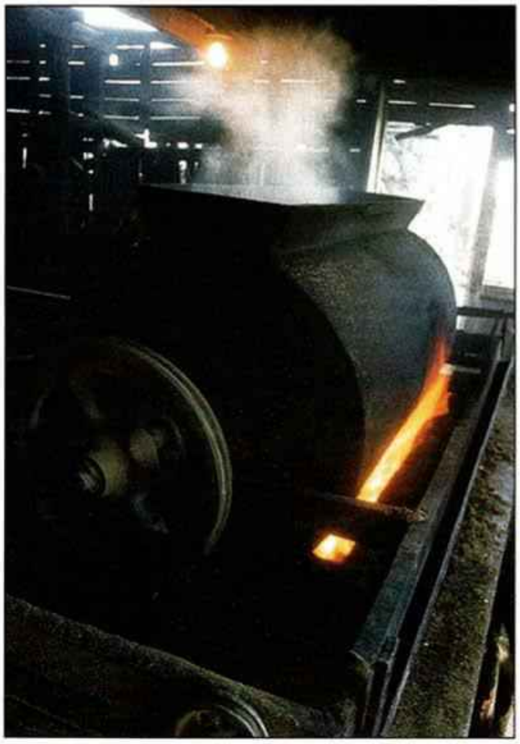
The only cereal native to North America, wild rice is more nutritious than oats, barley, wheat, or rye. Promoters tout its low fat and high levels of carbohydrates, proteins, thiamin, riboflavin, and vitamin B.

Wild rice is an annual, seeding itself from the previous year's harvest. Seeds require three to four months of dormancy in water below 35 degrees Fahrenheit before they germinate in mid to late April. The plant extends its leaves one to five feet to the water's surface, where they float for a month before forming aerial leaves and a stalk. At this point, the plant breathes air and no longer absorbs oxygen from the water.

The pyramid-shaped panicle that tops the stalk forms by August. The female blossoms are above the male blossoms. Wind and insects pollinate wild rice. Once pollinated, the rice matures in two weeks and then ripens over ten days from the top of the panicle to the bottom. Fully ripe grain shatters from the head, falls into the water, and begins the cycle once again.

—D.M.

To order Manitok wild rice, call 1-800-726-1863.



bark canoes, baskets, and mats died out. Enormous drainage ditches designed to convert wetland into farmland changed water flow, adversely affecting wild rice. Ojibwe children were sent to boarding schools as far away as Philadelphia, preventing them from learning from their elders and participating in traditional practices.

Today, the Ojibwe must survive as best they can, living a hybrid between the culture of the whites and that of their ancestors on little more than 8 percent of the original territory of the White Earth Reservation.

To help that process, the tribal council turned to an outsider, Dave Reinke. They hired him in 1984 as wild rice manager for the reservation, with the hope that he would help revive the struggling rice beds.

At the time, Reinke admits, he knew "nothing about wild rice. I had never so much as tasted it." But he did have a degree in crop science. Reinke soon discovered that Mother Nature was the least of his problems.

When he tried to actively manage the growth of the rice, he was shot at and received death threats. Some felt that Reinke had broken taboos that discourage human intervention in something given by the spirits, like manoomin. Though there are records to indicate that the Ojibwe seeded wild rice into much of its current territory, many felt that his actions would jeopardize the harvest.

Reinke's race didn't help him any, either. "Some people think that I am just another white guy getting rich off the back of the poor Indians," he explains. Eventually, Reinke found his place among the Ojibwe.

Once the rice crop was improved, Reinke worked to expand its marketing. Intense competition from paddy rice had

caused the price of all wild rice to plummet. A pound of green rice that sold for two dollars in 1976 was only fetching thirty-five cents in 1989.

With the help of a grant from the Department of Health and Human Services, the Manitok Wild Rice Company was founded by the tribe in 1990. According to Reinke, "the idea was to employ people but to do it at a profit." They pledged to buy green rice for no less than one dollar a pound and to process it at the small-scale operation located on the reservation.

Five years later, they have broken even. Manitok regularly markets rice at gourmet food shows, because intense manual labor makes its retail price twice that of paddy rice.

Except for Reinke, all of Manitok's six full-time and most of the over three hundred part-time employees are members of the White Earth band. Theirs is a small but important contribution to the four thousand tribe members who live on the reservation and the ten thousand who are registered members of it.

A way of life

Two of Manitok's seasonal employees are Robert Shimek and Russell Warren, both of whom separately run wild rice finishing facilities. "I do this because somebody needs to do it," says Shimek, above the steady clatter of clicking gears. "But this place has had a negative impact. When somebody brought these parchers over in 1947, it centralized the finishing operation," he explains. No longer did Ojibwe finish rice at the camps, where all could see and participate.

Shimek teaches interested Ojibwe his skill, hoping to preserve tradition. "It is important for our Indian culture to sell a quality product," he says, a black, straight-rimmed cowboy hat fitting snugly over his long black hair. And everyone agrees that finishing can make or break wild rice.

To Shimek, wild rice is not only a staple; it is a religious necessity. "We have to feed the spirits our natural and wild foods," he asserts. "We have to acknowledge where these things come from and

■ *Left:* Parched rice. *Opposite:* Russell Warren weighs bags of finished wild rice. *Opposite below:* Robert Shimek's wood-fired parchers fill the air with steam, smoke, and a rich, butternut aroma. *Below:* Shimek uses a gravity separator to divide broken grains and pebbles from complete grains.

ask permission for them." He also heads the White Earth Land Recovery Project, a private nonprofit group that, he says, "aims to develop a sustainable economy so we can support ourselves off the land."

Warren recoils at Shimek's nostalgia for the old ways. "If you tried to live traditionally, you'd be hurting," he says. "I want to stay in a motel when I hunt." Few Ojibwe would contradict the importance Shimek places on giving thanks, but not many maintain the old practices, like the medicine lodge. Warren explains, "I'm not saying I don't believe in it; I just don't do it."

Oscar "Sunfish" Oppegard does. He

■ Wild Rice Queen contestant Andrea Hellquist takes part in a parade during the 1994-5 Wild Rice Festival. *Opposite:* A kiddie tractor-pull contest in Kelliher.

leads sweat lodge ceremonies and treats with traditional medicines when he isn't dealing blackjack at the White Earth Casino. "The sweat lodge is a purification of body and spirit," he explains. "At these ceremonies we try to have natural food offerings: berries, game, rice, corn."

Naming and funeral ceremonies are two of the most common rites. "At death we give tools, personal things, and rice for the spirit to travel its journey," says Oppegard.

Shimek frequently gives his rice to the family having a funeral. One of the best parts of having rice, he says, "is being able to give it away. I never turn them down."

Shimek says the relationship to manoomin is essential to the Ojibwe's nature: "Harvesting rice is hot and dirty and itchy; yet you feel so good because it's a continuation of something that is very old. It is the intimacy of a relationship that a person has with what is around him [that is important]. The heart, the mind, the spirit, and how it interconnects with all these gifts we have been given—that is what makes us [Ojibwe]. It is not a word or a definition of a word; it is a way of life."

The taming of the grain

When Europeans discovered the Ojibwe and their wild rice, many saw a savage life-style and a waste of natural resources. Missionaries were frustrated by the nomadic Ojibwe; as soon as a school was built, the uncooperative converts left to set up camp elsewhere. Farmers watching the rice harvest noted that much of the harvest fell in the water and wondered why the Ojibwe didn't simply cut off the entire head of grain.

But the Ojibwe knew that ripe wild rice grains shatter easily, making cutting ineffective. Moreover, the head of grain ripens from top to bottom over a ten-day period. Because only ripe rice falls off the stalk, the Ojibwe riced a good stand of rice two or three times during the season.

As for the "wasted" rice, which fell in the water, the Ojibwe wanted the rice, an annual plant, to reseed each year. They also hunted the flocks of ducks that feasted on the grain they missed. Unimpressed with these reasons, many settlers cited Indian "underproduction" as one reason to take their land.

Though much of the land was taken, whites were slow to harvest rice. Non-Indian hand harvesting didn't begin until 1890 and still has little impact today. Yet white buyers who entered the market in the 1930s soon dominated it.

Wild rice was a good product, but the cyclical nature of the harvest made it a risky business. After a bumper crop, the great mass of stalks slowly decays in the cold water, preventing many grains from growing the following year. Floods and droughts can also ruin a crop. Out of four typical years, one harvest is large, two average, and one very small.

Market-savvy retailers knew that until farmers could produce a reliable crop, the housewives of America could not be courted with an advertising campaign. As a result, two-thirds of the crop was consumed within Minnesota until the mid-1960s.

By then, several factors had combined to increase the growing and harvest of wild rice. First, experimentation proved that wild rice could grow in an artificial paddy of stagnant water. Drainage ditches, pumps, and dams allowed for precise control of the level of water in the paddy.

Second, mechanical devices were invented to harvest the rice. The first of these machines imitated the motion of the ricers' knockers; later models adapted the front of airboats by adding rice catchers, greatly speeding the harvest but still leaving much green rice.

By the mid-1970s, farmers drained their paddies a month before harvest and then drove combines through their fields. Six-foot lengths of boards attached to tracks prevented the heavy machines from sinking in the soft mud. Combines harvest the entire head of rice, including some of it that is still green. A third development beneficial to paddy rice farmers is the innovation of nonshattering rice heads.

All these improvements have been so effective that Florhaug, who first planted wild rice in 1969, has seen his yield quadruple to four hundred pounds per acre. But the rice farmers have been victims of their own success. While the harvest in Minnesota has grown from 36,000 pounds in 1968 to a high of 6.1 million pounds in 1993, the price of processed wild rice began at \$3.30 per pound in 1968, rose to \$5.10 ten years later, and plunged to \$1.70 in 1993. Their example led white rice growers in California to also plant wild rice, doubling the supply.

A changed market

With the success of cultivated wild rice, the Ojibwe have found themselves on the margin of the industry. As a result, the tension between the Ojibwe and farmers is palpable.

"[The Indians] looked at us as ruin-

■ *Above:* **Winifred Jourdaine regrets the Ojibwe's changing attitude about the harvest.** ***Opposite:*** **A White Oaks Society actor impersonates Pierre Rivet, one of the eighteenth-century *voyageurs* who were the first Europeans to make contact with the Ojibwe.**

ing the market, and in a way we did," comments Florhaug. Dorothy Stevens is more direct. "It's unbelievable; they try to pass it off as wild rice." With an edge in her voice, she adds, "They even put a canoe on the package."

Few Americans know the difference between hand-harvested and cultivated wild rice. They assume the shiny black grains they find in boxes of mixed rice are the genuine article. "Ours is not the real thing," says Florhaug. "There's a difference in processing."

The sheer volume of the paddy harvest prevents all of it from being processed within a day or two, like the hand-harvested rice. After harvest, paddy rice is kept in windrows and watered, a process that results in a uniform black color on the rice, regardless of its degree of maturity at harvest. Once the rice is parched, commercial finishers polish the rice with large rollers to make each grain shine.

That look—long, black, and shiny—is what consumers have come to expect and what hand-harvested rice doesn't have. "Rice has never been black," says Warren, pointing to the light brown, tan, and green finished rice in his processing plant.

That look also makes the cultivated rice grains very hard; as a result, they require forty-five minutes to cook. Hand-harvested rice needs only twenty minutes. The Ojibwe are unanimous in their judgment of cultivated rice's inferior taste and stick to their own variety. Some even prefer the rice from a specific lake or river, likening its subtleties to that of a fine wine.

Oppegard finds no spiritual affront in the existence of the paddies. According to him, they simply "mess up the water." Rice farmers add nitrogen, potash, and phosphorus fertilizers after the harvest in the fall. When needed, they use planes to apply the fungicide Tilt against rust and Malathion against the rice worm.

At least six federal and state agencies are responsible for seeing that Minnesota's forty-nine wild rice farmers keep the water pristine. The bureaucratic burden is so great—and sometimes conflicting—that farmer Wally Rennemo complains, "Rice farming can't grow. There's too much paperwork, and everything is classified as wetland."

Those wetlands were once considered wastelands by many in this area. To celebrate their now-bountiful harvests, they hold an annual Wild Rice Festival. The festival includes a little something for all ages, from kiddy tractor pulls to a dance on Main Street and a country craft fair.

The highlight of the festival is the crowning of Minnesota's wild rice queen. Contestants are judged on their knowledge of wild rice and their ability to be a spokeswoman for the Cultivated Wild Rice Council.

The festival itself has parallels to the Ojibwe tradition of holding a rice camp.

Though no harvest takes place—the festival is held in July—all the festivities do. Almost every citizen gets involved, and reunions abound. Florhaug rented a trailer so that his daughters and granddaughters would have a place to stay. The Mostad family holds its reunion on the weekend of the festival and even has its own float in the parade.

The festival is a classic piece of small-town America life organized around the adopted crop. Manoomin shows up in the wild rice supper, the wild rice pancake breakfast, and the recipe contest, in which wild rice banana bread recently took first place. The residents' enthusiasm for wild rice is evident. A sign on the Beck Lumber Company truck in the 1994 Wild Rice Festival read, "Dreams happen with wild rice."

Back at the White Earth Reservation, 94-year-old Winifred Jourdaine looks out the window of her frame house across a lake green with wild rice and remembers her youth, when the "Caucasians wouldn't eat the rice." After a pause, she adds, "They are hollerin' to buy wild rice now, [but] the Indian people are not given credit."

Jourdaine also recalls a different spirit among the Ojibwe at those rice camps. "Everybody worked together in those days," she says. "Nobody went hungry." Jourdaine lived in the camps before she was sent away to boarding school and raised her own family in Minneapolis.

"We all love wild rice and everybody looks forward to [the harvest], but they do it more so now for the money," she explains. When the rice camps existed, the Ojibwe "didn't seem as selfish as they do today," she says. "We have freezers today."

And we all have wild rice.■

Additional Reading

Ervin Oelke, *Wild Rice Production in Minnesota,* University of Minnesota, Agricultural Extension Service, bulletin 464–1982.

Thomas Vennum, Jr., *Wild Rice and the Ojibway People,* Minnesota Historical Society Press, St. Paul, 1988.

Daniel W. Marshall is a free-lance writer based in Missouri whose articles have appeared frequently in THE WORLD & I.

GALLOPING THROUGH TIME

The Independent States of Central Asia: Part Three

Written and photographed by Ewa Wasilewska

T*o journey to Kazakhstan and Kyrgyzstan, two of the newly independent states of Central Asia, is to travel to the remote outposts of civilization, lost in the wilderness of the vast steppe and guarded by the majestic "heavenly" (Tien Shan) and "golden" (Altai) mountains. Here, with landscapes*

diverse enough to serve as backdrops to nomadic herdsmen or survivors of postnuclear war, time seems to move both backward and forward. These imaginary time shifts reflect the three modes of life prevailing in the region as the result of Soviet policy: a feudal reality never meant to be, nomadic traditions about to disappear, and a nuclear/industrial "laboratory" whose cleanup may take centuries.

Prepared for the worst, I was pleasantly surprised upon my landing in the small, well-kept airport serving Almaty, capital of Kazakhstan. It seemed an oasis of peace and safety after my earlier experiences in Moscow's dirty and inefficient international and domestic airports. Those places were obviously overrun by the "mafia"; for example, the price demanded for a taxi to the center of Moscow was two hundred dollars. (The alternative is to take your chances of being robbed and possibly killed.)

But the airport was not the only surprise awaiting me. The city of Almaty, named by the Kazakhs after the apple trees for which it once was famous, is in fact an extension of a Russian frontier post established as Vernyi in 1854. Despite the nondescript Stalinesque architecture, Almaty still charms with its many trees and view of snowcapped mountains. Hidden among the drab blocks of concrete and metal, a few unusual structures testify to the Central Asian character of this otherwise typical Soviet city.

Among Almaty's attractions is the wooden building of the Museum of Kazakh National Instruments, which preserves a unique collection of nomadic musical inventions with hundreds of long-necked lutes known as *dombras*. The Arashan baths—with sections for Turkish, Russian, and Finnish ablutions—add a Turkish flavor to this sleepy town. The Zenkov Cathedral, a tall, wooden structure erected without a single nail and painted lavishly, is a reminder of the overwhelming Russian presence in Almaty.

■ ***Above:*** **Almaty's Zenkov Cathedral.** ***Background:*** **Landscape around Dzhambul, Kazakhstan. This forbidden military area hides the relics of outdated Soviet technology.** ***Opposite:*** **Part of a wedding procession in Almaty.**

Right: A Kazakh army training exercise. *Opposite above:* Inside Almaty's grand bazaar, buyers and sellers understand the principles of a market economy. *Opposite below:* Peddling cucumbers.

An unsettled cultural mosaic

Although the largest single ethnic group, Kazakhs constitute a minority in their own land. Kazakhstan encompasses a vast territory that stretches from the Caspian Sea to China, and Kazakhs form only 42 percent of the total population of around seventeen million. The ethnic mosaic of modern Kazakhstan includes 37 percent Russians and around 6 percent Germans. The remaining 15 percent consists of one hundred other ethnic and national groups that ended up here as a result of Stalin's policy and process of russification.

Ethnic tensions. The official policy of the government led by the Kazakh president, Nazarbayev, calls for peaceful coexistence and mutual tolerance, but ethnic tension between Kazakhs and Russians can be felt everywhere. In general, Russians believe that Kazakhs are incapable of running their own country. Russian prejudice is that Kazakhs are lazy, uneducated, and only qualified to tend sheep (an obvious reference to the area's nomadic past). Frustrated that high government positions have been in the hands of native Kazakhs since independence, many Russians grumble about immigration to *matushka Rossiya* (mother Russia) or, better yet, any other country. The majority of Russians I met during my travels seemed preoccupied with a search for foreign ancestors that, if successful, could give them a chance to resettle in Germany, Poland, or other European countries. The number of people wanting to claim any origin other than Russian is shocking. According to one Polish consul, about two hundred thousand people want to emigrate from Kazakhstan to Poland.

In a majority of cases, they do not speak Polish, are unaware of any Polish traditions, and cannot present even a shred of evidence indicating that they are of partially Polish origin.

Despite their complaints, Russians still hold better-paid positions in Almaty and other major Kazakh cities than do other ethnic groups. They also often own vehicles. Because Soviet policy included closing mosques and *madrasas* (Islamic schools) and strong preference in both education and employment opportunities was given to Russians and people of other European stock, the Russians are not only better educated and more experienced than Kazakhs but also have basic knowledge of foreign languages such as English or French. Thus, Russians are able to find profitable positions as specialists, translators, and drivers with foreign companies that are often indifferent to Kazakhstan's ethnic situation. Russian salaries are frequently ten times higher than those of Kazakh government officials. These disparities obviously contribute to ethnic tensions.

Because nobody likes the Russians and the Russians have a low opinion of other groups, it was fascinating to see the various ethnic groups working in harmony at Almaty's grand bazaar. The marketplace consists of a huge building that looks like a cross between a stable and a prison, with additional open spaces outside. The outdoor area is occupied mainly by Russian entrepreneurs selling foreign goods (smuggled into the country) at prices beyond the reach of most Kazakhstanis. Prices are fixed: Bargaining is not in style and can cause fights. Italian shoes, French champagne, American cigarettes, Turkish hair dryers, Swiss chocolate, German beer, Polish juice, Syrian chewing gum, and hundreds of other things are available. In Central Asia, these goods are symbols of Western prosperity as well as status.

Inside the covered bazaar, bargaining is expected and enjoyed. People of many ethnicities—Kazakhs, Koreans, Chinese, and others—sell all sorts of food. The grayish brown walls of the hall are obscured by an incredible variety of fruits, vegetables, nuts, honey jars, and products largely unknown to foreigners. The meat section is "decorated" with the heads of

horses, pigs, cows, and other animals. One can taste almost everything that is offered for sale, including the most acclaimed drink of the steppe, *kumiss* (fermented mare's milk). This bazaar also includes a sort of fast-food section that serves Korean cuisine.

lowers for the industrialization and agriculturalization of Central Asia's grassland and semideserts resulted in one of the greatest disasters in Soviet history. No data are available on the percentage of the population that nomads presently constitute.

A man drives an empty horse-drawn cart across the Kazakh steppe. Soviet agricultural policy brought economic ruin to the region.

Catastrophe of state planning

As much as I enjoyed the bazaar and hospitality of Kazakh officials, I was anxious to leave Almaty in search of nomads. Unfortunately, they are difficult to find. The Russian policy of colonization had reduced their number to 16.6 percent of Kazakhstan's population by 1908. The "brilliant" plans of Stalin and his Soviet fol-

Animal slaughter. The collectivization of nomadic livestock led to the biggest slaughter of animals in human memory. In 1933 alone, more than twenty-four million sheep and goats, five million cattle, and three million horses were killed by nomads to prevent surrendering them to life on collective farms. The tragedy of this desperate act cannot be expressed by numbers.

For thousands of years, these great herds had provided the nomadic popula-

tion of the area with both transportation and subsistence, allowing for a self-sufficient economy. The fat-tailed sheep known as *qazaqi qoy*, whose fat deposits and coarse wool protect them from the harsh climatic conditions, have supplied nomads with meat and milk as well as wool for clothes, carpets, and felt.

Horses, the most beloved animals, were domesticated by the fourth millennium B.C. and achieved the status of heroes in Turkestan. Although they provided only a secondary means of subsistence, steppe horses enabled nomads to conduct fast raids into enemy territory and control a vast area across Central Asia. They proved invaluable for fast, long-distance transportation between seasonal pastures that were sometimes a thousand miles apart. Small, strong, and fierce, these horses were sent ahead of the herd after the feared refreezing of previously thawed snow (*jut* or *kökmuz*), to find the grass beneath the snow. This would help save at least part of the livestock.

These beautiful animals have been praised in oral epics and songs of Central Asia as creatures of even greater importance than humans. A poetic description of an especially fine horse might require fifty-three lines, as did that of Manykär, horse of the great Kyrgyz hero Manas. Joloi, another important (and often inebriated) hero of Kyrgyz epics, could function only thanks to the help of his women and his horse. The slaughter of millions of these animals was not only an act of desperation but also, in many ways, a tragic suicide by nomads whose souls, national pride, and traditions were almost extinguished by the collectivization programs.

Agricultural failure. This dramatic act of rebellion by the steppe nomads did not

HERO OF THE KYRGYZ PEOPLE

The heroic traditions of the nomadic and Islamic past are playing an important role in the formation of the newly independent states of Central Asia. National identity in the steppe empires was defined by tribal and ethnic affiliations. These were personified by national heroes whose exploits were recorded in oral traditions of narrative poetry and prose. Thus, to mobilize its efforts to build a modern state, the government of Kyrgyzstan will evoke the past grandeur of the Kyrgyz people by celebrating the thousandth anniversary of the most famous saga of the steppe, the *Epic of Manas*, during August and September 1995.

The *Epic of Manas* is the longest (its volume exceeds that of the *Iliad* and *Odyssey* combined), most-celebrated, and best-known heroic saga in Central Asia. Every family in Kyrgyzstan, whether in an urban, rural, or nomadic area, can recall many stories of the Manas cycle. This enduring tradition was written down by Wilhelm Radlov in the nineteenth century and finally published during the Soviet period.

Among the most common themes of Kyrgyz epic poetry are the unusual birth and childhood of the hero, his raids, battles, wooing and marriage, horse races, wrestling matches, long journeys, and many other adventures related to nomadic life. The *Epic of Manas* describes the life of the Islamic hero and his friends and also provides a great deal of historical and social information, starting with the ninth and tenth centuries, the formative period of the Kyrgyz nation when Islam spread through the area.

The narrative poetry of the steppe was recited by traveling troubadours called *ozan*. Those who recited the poem of Manas were referred to as *Manasci* (Manas troubadours) and specialized in this narrative cycle. Their presentations were carefully prepared during many years of study under the guidance of older Manasci. Each troubadour was allowed to elaborate on the stories, and the listeners often corrected him or added details they thought were important. Using gestures and facial expressions, the Manasci may have invented the one-man show, with the audience joining in at will. In this way, the *Epic of Manas* became a collective composition incorporating a millennium of experience and traditions.

—*E.W.*

Above: Smog envelopes Almaty. Soviet nuclear and industrial policy combined to leave a legacy of pollution. *Opposite:* Selling foodstuffs in the bazaar.

stop the Soviets from land reorganization in the name of communistic modernization. The Soviet leaders' next "brilliant" idea focused on turning the virgin steppe into arable farmland, in an attempt to increase the production of wheat in the Soviet Union in the late 1950s and early '60s. This time, the land itself revolted against this unreasonable project. The Soviets discovered the hard way why nomads had preferred their model of subsistence for thousands of years. The semiarid steppe cannot afford anything more thirsty than grass. A couple of harvest disasters taught the Soviets a lesson that would have been easily learned from those who knew the land the best: the "ignorant" nomads.

Although big agricultural projects were soon abandoned, the collective farms remained, producing an insignificant amount of crops. Presently they are all falling apart, monuments of nineteenth- and early-twentieth-century technology rusting away in the scorching heat and severe winters of the steppe. The people who once worked for the Soviet landlord, the Communist Party, now barely make ends meet by selling fruit and vegetables at local markets and along the few "highways" crossing the steppe. Time has moved backward across the fields of Kazakhstan.

Consequently, Kazakhstan must import necessary food and agricultural products (approximately 57 percent of 1991's total imports). This tragic agricultural failure can only be reversed with the help of appropriate technology, development of transportation, and more effective methods of production. Given the favorable ratio of 6.2 people per square kilometer and around thirty-five million hectares of viable arable land, the prob-

lem could be rectified. The Soviets just overdid it. As usual.

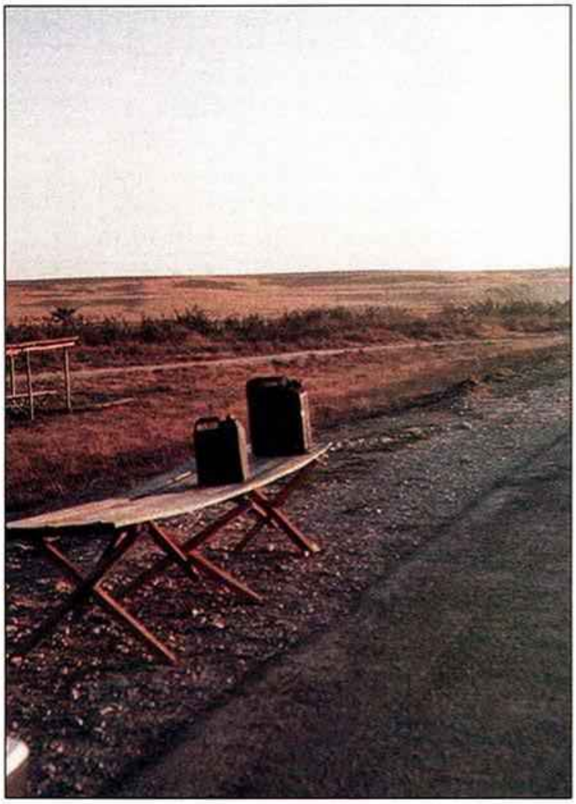
Nuclear wasteland. Soviet experiments did not end with agriculture and collectivization. Soviet authorities turned their attention to industrialization and "nuclearization" of the seemingly empty steppe. Because Kazakhstan is one of the world's wealthiest countries—in terms of natural resources—there was much to interfere with. Kazakhstan's oil and gas fields, currently the main interest of foreign investors, are estimated to be the largest in the world. There is plenty of gold, copper, zinc, silver, lead, and other metals and materials, including sources of the purest bismuth, cadmium, and thallium, elements that are sought by foreign markets for electronic and nuclear production.

The Soviets felt free to exploit these riches and take them out of the Kazakh republic to be processed in more "civilized" parts of the Soviet Union. They left behind mining holes and hundreds of chimneys and furnaces that cough up unbelievable amounts of toxic fumes and chemicals.

The Soviet disregard for human life in general and the obviously expendable population of Central Asia in particular is best illustrated by their experiments with nuclear weapons, which began by 1949. For forty years, ending only with the successful protest of 1990, the region around Semipalatinsk became a regular testing site for both aboveground and underground nuclear trials. Part of central and eastern Kazakhstan was exposed to excessive amounts of radioactive contamination. It can be found everywhere: in soil, water, food, people's clothing, animals, and homes.

Soviet nuclear experiments, in addition to toxic waste production in large mines and industrial establishments in the area, led to a rapid worsening of public health. High incidences of malignant tumors, mortality, stillborn children, and birth anomalies are among the indicators often cited as the result of Soviet testing. However, the numbers alone—frightening though they are in comparison with both world and even Soviet norms—cannot tell the whole story. The tragedy of mothers who give birth to children with deformed bodies and faces and the drama of those dying slowly, in pain, in Soviet-built hospitals are beyond the imagination of the average Westerner. The situation is impossible to describe. As an anthropologist, I could not bring myself to use my camera to

document the cases of deformed and sickly people I encountered during the trip. They were so ashamed of their conditions that my heart went out to them while my camera remained locked in the car. But I felt that time had moved forward in Kazakhstan to warn the world of the results of unrestricted nuclear power or holocaust.



In search of nomads

Continuing to wander through the southern part of Kazakhstan, I discovered a few tombs of fabled saints and legendary people that have survived the Soviet regime. These have been enduring symbols of Islam, a faith forbidden during the communist era. In fact, the burial structures of the Central Asian steppe are usually simple graves, often marked by nearby petroglyphs, such as those found at Tamgaly. There are also *kurgans* (human-made hills of stone and earth) and *balbals* (grave markers/stelae of Turkic people). The grave sites and Muslim mausoleums are ghosts of a past that even the Soviets could not silence and have been the center of the persistence of nomadic and Islamic traditions. Those traditions are in the process of revival following the establishment of the new democratic states. Mosques and other centers, closed or demolished by the Soviets, are being reopened or built anew by the Kazakh and Kyrgyz people in hopes of restoring old norms of behavior and morality.

An overnight stay. Although my driver assured me that there were still nomads in Kazakhstan, I saw only a few abandoned *yurts*, the circular tents that are the typical nomadic dwellings. This was not good enough for me. I wanted to meet nomads and spend time with them. To do so, I determined to go to Kyrgyzstan and chose a route apparently little used by anyone except the local people. It led—or rather ascended to heaven—through the Tien Shan Mountains and was not at all suitable for my driver's small Japanese car. In spite of his outrage and comments about crazy women who have nothing to do but chase nomads, I enjoyed this trip enormously. Amazingly, this mountain paradise has escaped the industrial fate of other countries in the region, and its beauty is almost untouched. However, it was not the area's lack of natural resources but rather its proximity to the Chinese border, combined with the barely passable

mountains, that stopped the Soviets from taming yet-another bunch of nomads. In this place, time stands still.

Unable to cross the Tuyuz Ashuu pass at around eleven thousand feet, I found myself in midnight darkness in the steep mountains, wandering among patches of old snow interrupted by a few yurts. After a few unsuccessful attempts (everyone was asleep) to invite myself into the homes of a small settlement, I decided to follow the route through the mountains, hoping not to descend too dramatically into one of the numerous gorges. As luck would have it, I came across a few inhabited yurts spread along the main pass, and the Kyrgyz nomads welcomed me with mandatory *chay* (tea) and offered me sleeping accommodations for the rest of the night.

The typical yurt is a sturdy, lightweight dwelling that can resist strong winter winds and storms. In summer, the framework is covered by reed matting to allow for air circulation, but the winter dwelling requires heavy felt rugs to provide insulation from extremely low temperatures. An average yurt is usually set up by women in two hours and can be carried by three to four horses. The yurt's interior is commonly decorated with colorful rugs and curtains, and is organized into two unmarked sections, starting from the "upper" place located near the entrance. This is the place of honor, from which the division into men's (right) and

■ *Opposite:* A Central Asian gas station. *Above:* A tombstone in an Islamic cemetery memorializes a child.

■ *Right:* **One of Central Asia's numerous random police checkpoints.** *Below:* **On their wedding day, a young Kazakh couple and their guests pay homage at Almaty's Monument to the Unknown Soldier.** *Opposite:* **Beginning more traditional marriage celebrations.**

women's (left) sections is made. Beyond the felt flap that served as the yurt's entrance was the bed occupied by the lady of the yurt. To its left was a bed for her teenage son. In the middle of the yurt, on the floor, rugs and quilts were spread for the four remaining male relatives, including the master. I, my driver, and an accidental British tourist were given a place on the floor, and we slept to the left of the male party.

Although we all slept in our clothes, covered with woven and felt rugs and quilts, it was still a tough experience to endure due to the bitter cold outside. The morning was welcomed without any ablutions: Water was scarce and provided by a quart of melted snow collected in a can attached to a pole outside the yurt. Breakfast consisted of leftovers from the previous night, uneaten soup that had been poured back into a metal vessel and spiced up with salt. As unappetizing as this may

seem, it must be remembered that in the harsh conditions of nomadic life, nothing can be wasted. But I was now pressed for time and had to leave this hospitable family. After answering hundreds of questions about the United States—which is as exotic to these nomads as other planets are to Americans—I promised that I would be back someday to listen to their stories and learn more about their life.

Many changes have occurred in the nomadic societies of Central Asia during this century due to the forced industrialization and agriculturalization policies of the Soviets. Only a few nomads still gallop through life as their great-great-grandfathers did. But there are many who, with notable pride, talk about their glorious past and hope that a revival of the famous traditions of the steppe empires will somehow contribute to a smoother transition to a market economy. In a world of limited mineral resources, the people of Central Asia might be getting yet another chance to use their commercial skills, adaptability, and willingness to cooperate with others to resurrect the wealthy and unconventional steppe empires of the past. I sincerely believe they will not waste this chance. Their enthusiasm—and the ghosts of the past—will guide them along this difficult path.■

Ewa Wasilewska is adjunct assistant professor of anthropology at the University of Utah. As a cultural adviser and communications specialist, she has codirected and participated in numerous programs sponsored by USAID for Central Asia and eastern Europe. The last in a three-part series, this article was researched in Central Asia during the summer and fall of 1994.

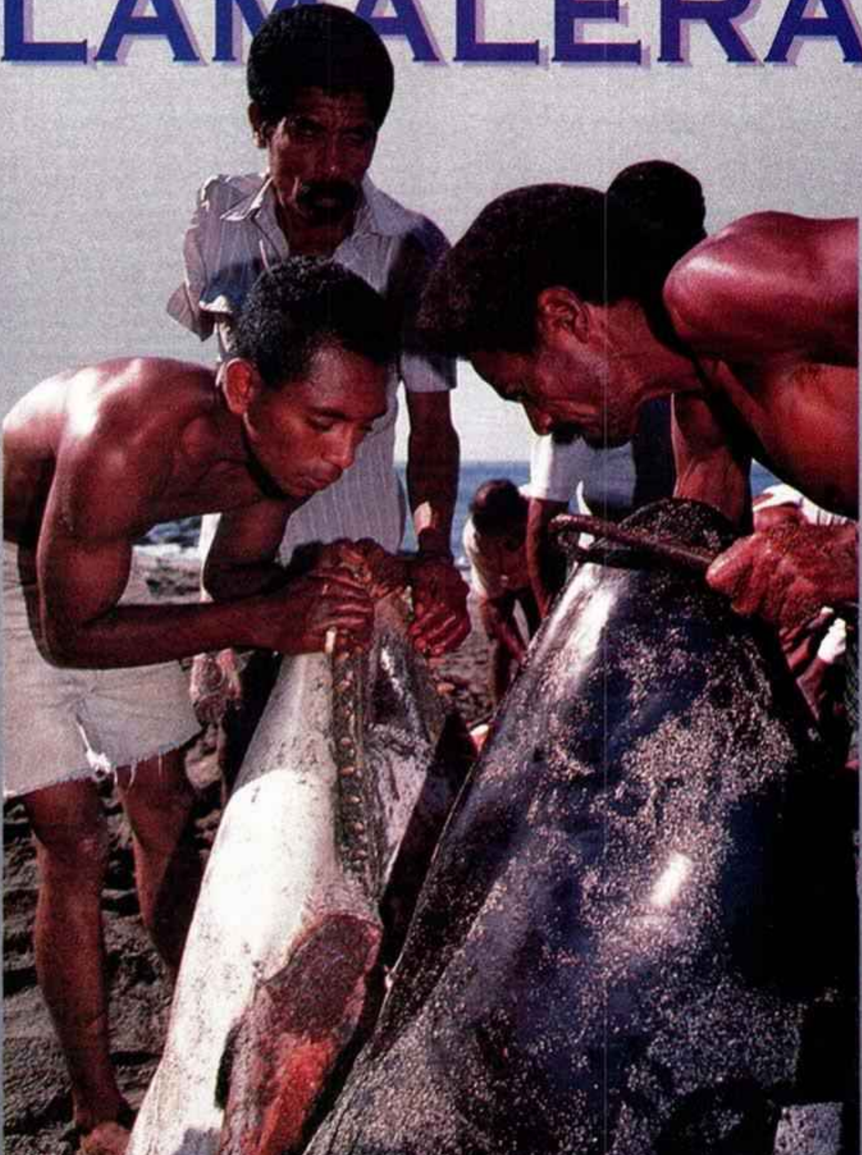
With dexterity and timing, a fisherman leaps to harpoon a manta ray. The ability to maintain balance on water-slick bamboo distinguishes Lamalera harpoonists. *Inset:* Hunters pry open an orca's mouth to finish butchering the mammal.

WHALING IN AN

LAST RITES AT

INDONESIAN VILLAGE

LAMALERA



Photographed by Tom Ives; written by Alison Moore

Tom Ives, a Tucson-based photojournalist, and Alison Moore, the author of several novels and a fiction-writing teacher at the University of Arizona, visited Lamalera during a recent trip to Indonesia.

The last place on earth where sperm whales are still hunted and harpooned from small wooden boats is Lamalera, a remote village of two thousand inhabitants on the southernmost tip of Lembata Island in the Indonesian archipelago.

In Lamalera, the taking of whales, once the rite of passage for young men coming of age, is now left to old men. They paddle wooden outriggers and run the risk of being dragged for days by a

The pursuit begins. A harpoonist scans the waters as the vessel forges ahead. *Opposite:* Sharpening a harpoon during a lull in the hunt. *Opposite below:* The *Teti Heri* returns to shore with its catch lashed to the hull.

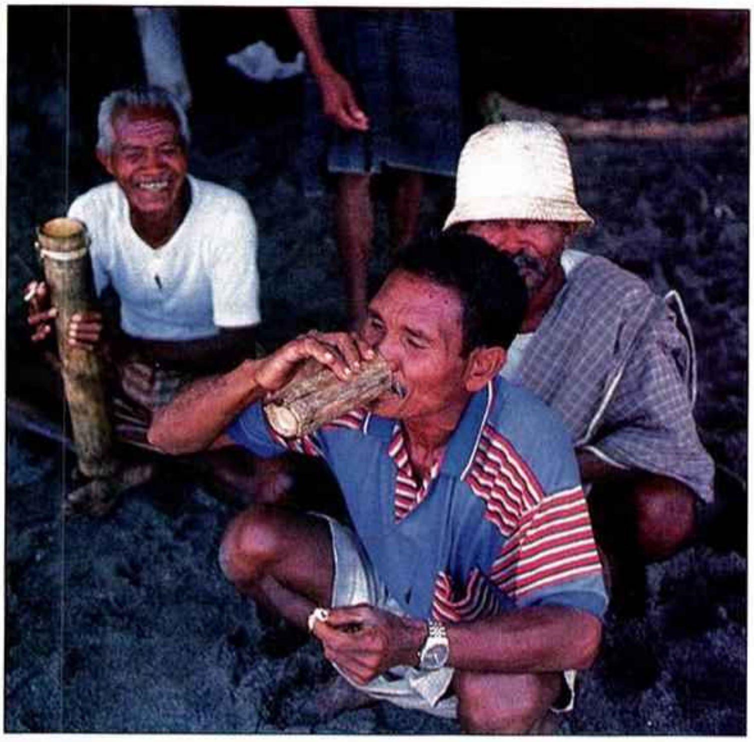
harpooned whale that may, with a sudden thrash of its fluke, shatter the boat and take their lives. They sing on this journey: "Tears flowing, tears flowing, I paddle my boat, my tears flowing. Without food, without water, I paddle my boat, my tears flowing." Their song was conceived as an incantation of difficult faith. It can now be heard as an ironic echo, a lament for what will soon be a lost art.

Once the migrating whales are sighted, small fleets of ten to twelve wooden boats with sails made of plaited

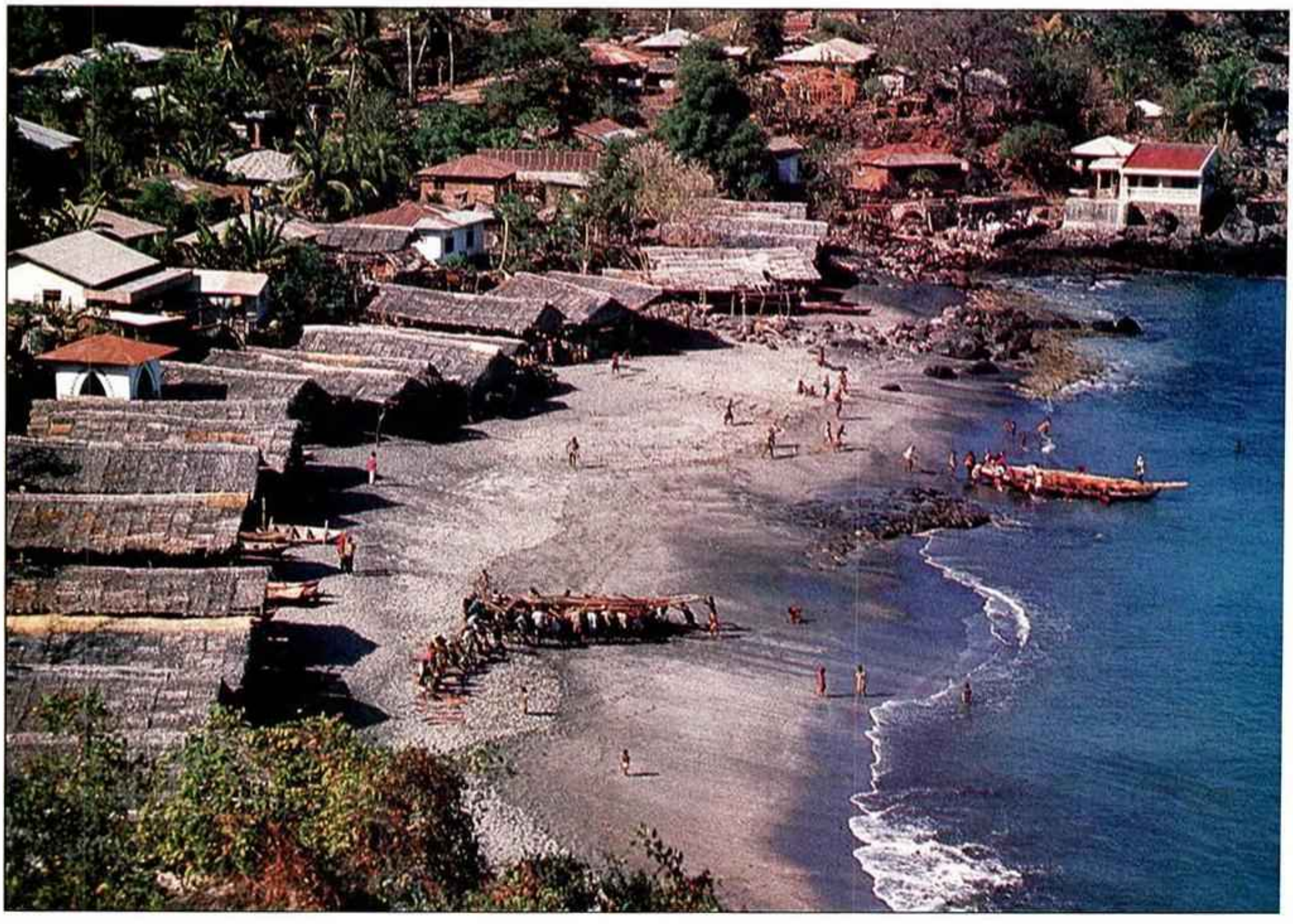
Villagers haul a vessel back to the boathouse. *Opposite:* Dividing portions of the catch. *Opposite below:* Crafting a new keel bumper.

strips of palm fronds set out for the hunt. When the gap between whale and boat narrows, the sails are lowered and the fifteen-man crew rows furiously to bring the boat within range. The harpooner, armed only with a spear three meters long attached to a long coil of rope, leaps onto the whale's back. The accuracy of his aim spells the difference between a speedy finish or a battle that can continue for hours or days.

In March 1994, a harpooned sperm whale destroyed two whaleboats from Lamalera in the Ombai Straits near Timor. The men from these boats were stranded on a third boat for four days without food and water before they were rescued by a chartered tourist ship en route to Kupang, Timor. Although no lives were lost, the loss of the boats—a first in Lamalera's history—was tantamount to the loss of members of the family. These people believe a boat has a soul that cannot rest until the boat's body is returned to the village. Mourning

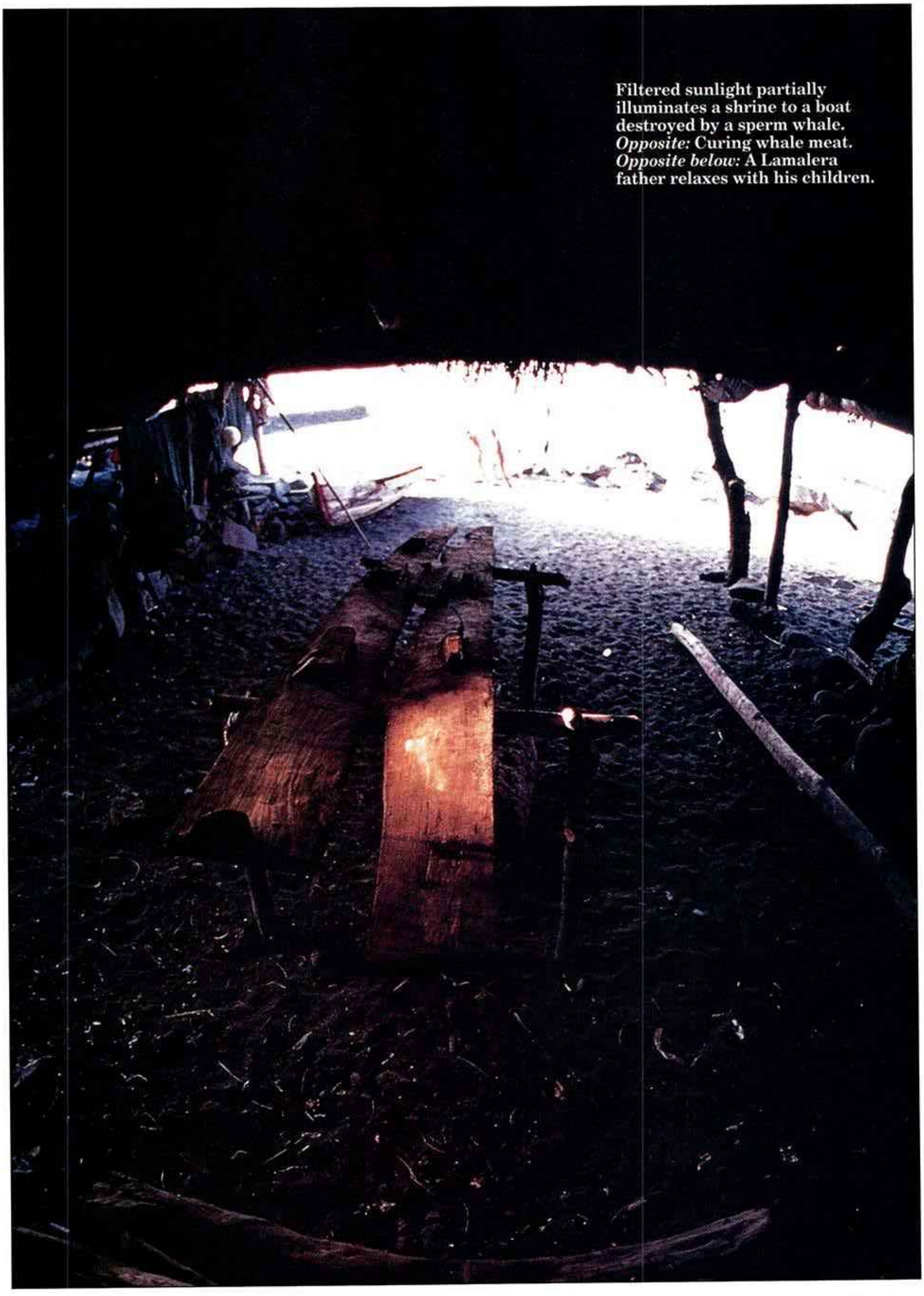


Left: Drinking *tuak,* a wine made from palm flowers, after completing a day's work.
Below: Homes and boathouses crowd the Lamalera shoreline.
Opposite: Trading whale meat for vegetables at Wulandoni market. Bartering is the common form of economic activity.



began and continued for five months, culminating in a ceremony to release the spirits of the boats so that new ones could be built.

Lamalera is on the cusp of change. The unpredictability of two migrations—the whales into the island waters and the young men outward toward jobs and education in Jakarta—has threatened the continued practice of this centuries-old skill. This may be the last decade that whales are hunted in Lamalera.■



Filtered sunlight partially illuminates a shrine to a boat destroyed by a sperm whale. *Opposite:* Curing whale meat. *Opposite below:* A Lamalera father relaxes with his children.

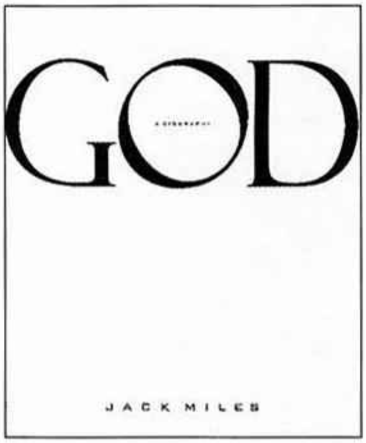
TABLE OF CONTENTS

234 JACK MILES' *GOD: A BIOGRAPHY*
(selected excerpts)

COMMENTARY

240 An Unauthorized Peek at God
James S. Ackerman
An entertaining literary inquiry into the character of God as revealed in the Hebrew Bible helps us appreciate a pillar of our culture.

250 A Biography without End
Andrew Wilson
This witty, audacious piece of literary criticism is nevertheless based on a literary conceit.



REVIEWS

258 The Enduring Dictator
Thilo Ullmann
Franco: A Biography *Paul Preston*
A British historian examines the life of the man who dominated Spain for most of this century.

265 Fear on the Mountain
Jerry Seper
The Standoff *Chuck Hogan*
A compelling new novel re-creates the eleven-day siege on Ruby Ridge by overzealous ATF and FBI agents.

270 Always Faithful?
Brian McCombie
When the Poor Boys Dance *G.F. Borden*
A novel takes a gritty look at tradition and change in the Marine Corps.

273 Death Triumphant?
Martinus Bakker
The Carriage Stone *Sigbjørn Hølmebakk*
Overcoming the fear of death is the first step on the road to happiness for this Norwegian novelist.

277 Working for the Devil
Cynthia Baker
Philip Johnson: Life and Work *Franz Schulze*
The life and work of the world's most famous living architect show how far wealth, talent, and cynicism can carry a man.

BOOKS FROM ABROAD

281 A Shell-shocked Land
Charles Larson
Sozaboy *Ken Saro-Wiwa*
A Nigerian novelist draws attention to the plight of his Ogoni people.

Jack Miles'
God: A Biography

Editor's Introduction

In recent years, there has been a notable increase in the number of literary studies of the Bible, from Harold Bloom's *The Book of J* (1990) to Karen Armstrong's *A History of God* (1993). Each has contributed significantly to our understanding of the historical foundations of the Jewish, Christian, and Islamic faiths. Yet, none quite compares with Jack Miles' provocative *God: A Biography*—a literary approach to the Almighty that tries to imagine him as a real person, much like critics debate the nature, motives, and designs of Hamlet or Don Quixote.

Miles is an appropriate biographer. A book critic and editorial board member at the *Los Angeles Times*, he is a former Jesuit priest who once studied at both the Gregorian College in Rome and Hebrew University in Jerusalem before earning a doctorate in Near Eastern languages from Harvard. His witty, yet studious inquiry into the nature of God could quite possibly alter future perceptions of the Creator held by laypersons and biblical scholars alike.

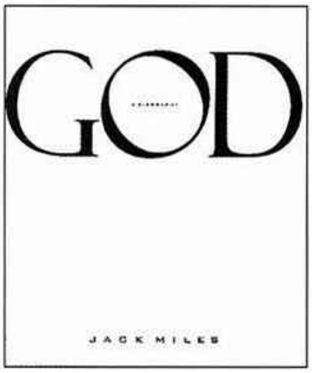
Miles chooses to examine the Hebrew Bible, which orders the books of the Bible differently from the Christian Old Testament, and this approach affects the way God's character "matures." The portrait Miles conjures up contrasts significantly with the all-powerful, all-knowing, loving deity we normally think of. This God is an amalgam of several divine but conflicted personalities: creator, destroyer, judge, arbiter, and father.

In the excerpt, Miles explains his rationale for using the literary approach to explore the nature of God and why he believes the Hebrew Bible, or Tanakh, is most effective in revealing the "life" of God.

Commentaries by two biblical scholars follow the excerpt. The first, by James Ackerman, discusses how Miles' biographical technique not only challenges but illuminates our common understanding of God. Andrew Wilson, while agreeing that the literary approach is outstanding, nevertheless considers it too contrived.

■ **William Blake's depiction of God, the Ancient of Days, looking forward to the end of history.**

God: A Biography



JACK MILES

Can a literary character be said to live a life from birth to death or otherwise to undergo a development from beginning to end? Or is a literary character—fixed on the pages of a book, trapped forever in the same few words and actions—the very opposite of a living, developing human being?

Contention on this point has shaped a century of *Hamlet* criticism, according to a recent survey by William Kerrigan, who calls the two contending groups the critics and the scholars. The critics, he says, dominant at the start of the century, believed in character. They believed that to talk about *Hamlet* the play, you had to talk about Hamlet the man: what he said, what he did, and how he changed during the time between his first and his last words onstage. The scholars, dominant in the middle of the century, took as their motto Hamlet's own line "The play's the thing." They believed that, empirically speaking, there was no Hamlet, only Shakespeare's words on the page, and that therefore one could legitimately talk only about them. If one went beyond them, it could not be into the imagined rest of Hamlet, for the rest was silence, to borrow another line from the play. One could go only into the rest of Elizabethan drama and Elizabethan society, seeking other plays that Shakespeare might have known, deepening one's knowledge of the language he spoke, and so forth.

From God: A Biography *by Jack Miles. Copyright © 1995 by Jack Miles. Reprinted with permission by Alfred A. Knopf, Inc. This excerpt is a condensed version of the original. Omissions indicated by diamonds.*

❖ ❖ ❖

I have begun with a discussion of *Hamlet* because I want to situate my subject in literature. I write here about the life of the Lord God as—and only as—the protagonist of a classic of world literature; namely, the Hebrew Bible or Old Testament. I do not write about (though I certainly do not write against) the Lord God as the object of religious belief. I do not attempt, as theology does, to make an original statement about God as an extraliterary reality. I do not write as a historian and therefore do not focus, as historians do, on the successive Israelite and Jewish communities that believed in God. My interest goes not to those believing communities but to the God they believed in. And I believe that the biographical effect—the artistic suggestion of a life—is inseparable from the dramatic or literary effect itself. Unless the viewer of *Hamlet* can believe that Hamlet was born and will die, unless the viewer's imagination is carried offstage into the life for which there is no direct evidence onstage, the play dies with its protagonist. A character understood to have no life offstage can have no life onstage. And so it is also with God as the protagonist of the Bible.

If biography is seen narrowly as a branch of history, then there can be no biography of a nonhistorical character. But God does have a first and a last appearance in the Hebrew Bible. We see him first as the creator, outside history, prior to it, masterfully setting in motion the heavenly bodies by which historical time will be measured. We see him last as the "Ancient of Days," white-haired and silent, looking forward to the end of history from a remote and cloudy throne. This book becomes a biography of a special sort by dint of its determination to describe the middle that lies between so vigorous a beginning and so quiescent an end.

❖ ❖ ❖

What motivated the Christian editor to move the prophets to the end of the newly edited Old Testament? Presumably his hope was that in this position the prophets would better announce their relationship to the now immediately following Gospels. Christianity believes that the life of Christ is the fulfillment of prophecy. The Gospels, which open the New Testament, make this point repeatedly. The Christian editor edited the Hebrew Bible to reflect this Christian belief.

Or so, at least, we may speculate. A rival school of thought maintains that two ancient Jewish canons have been preserved—a Palestinian canon, surviving in the Hebrew Bible, and an Alexandrian (or diaspora) Jewish canon, surviving in the Old Testament. In my judgment, stronger evidence supports the view that the order found in the Christian Old Testament reflects a Christian editor's conscious revision, but I admit that this cannot finally be determined.

Whatever the origin of the two editions, the difference between them is large enough that a biographer of God must choose on which he will base his account. For reasons that will not be completely evident until the very end of this book, I have chosen to base my account on the Hebrew Bible or, to use the standard Hebrew word for the collection, on the Tanakh. The word *Tanakh* is a postbiblical acronym derived from the Hebrew equivalents of the letters *t*, *n*, and *k* (pronounced *kh* under certain phonetic conditions), standing, respectively, for the Hebrew words *torah*, "teaching"; *nebi'im*, "prophets"; and *ketubim*, "writings." If the Old Testament were renamed with a comparable acronym, it might be *Takhan*, for the Old Testament order is, roughly, teaching, writings, prophets. *Tanakh* is the name that I shall ordinarily use for the collection from this point forward. What is of decisive importance, of course, is not the name but the character of the collection itself.

The Bible is unquestionably an unusual work of literature, and the Lord God is a most unusual character.

❖ ❖ ❖

The Lord God has no mother and father, but the otherwise engendered contradictions in his character do find an enactment in his life. His character fuses, explodes, and—just here the Tanakh differs most strikingly from the Old Testament—disintegrates without disappearing. Biblical Hebrew, interestingly enough, has no word for *story*, and the Tanakh does not end as a well-written story would end. But real lives never end that way. The Tanakh's failure here is its success. Death comes to many if not to most human beings as an interruption. The survivors are left thinking not about the story that is over but about the person who is gone.

So it is at the end of the Tanakh. A bewildering classic, produced by countless literary hands over many hundreds of years, it is held together by its central character far more than by any rigid structure or epic theme. The Lord God is at war with himself, but his war is our own, for culturally speaking we have been living with him for centuries. Before meeting him, everyone, absolutely everyone, has heard of him. Of whom else can that claim be made?

Asked if he believed in God, the psychologist Carl Jung answered, famously, "I do not believe. I know." Can God be known? I leave that question unanswered. What I claim is only that God's life as found on the pages of the Bible can be told. This book aims to be the telling.

❖ ❖ ❖

CREATOR

"Where Are You?"

GENESIS I–3

And then, when all seems to be in readiness, a wobble, a word of oblique explanation from this fellow who seems so above explanation:

> And God said, "Let us make man in our image, after our likeness. They shall rule the fish of the sea, the birds of the sky, the cattle, the whole earth, and all the creeping things that creep on earth." And God created man in His image, in the image of God He created him; male and female He created them. God blessed them and God said to them, "Be fertile and increase, fill the earth and master it; and rule the fish of the sea, the birds of the sky, and all the living things that creep on earth."
>
> God said, "See, I give you every seed-bearing plant that is upon all the earth, and every tree that has seed-bearing fruit; they shall be yours for food. And to all the animals on land, to all the birds of the sky, and to everything that creeps on earth, in which there is the breath of life, [I give] all the green plants for food." And it was so. And God saw all that He had made, and found it very good. And there was evening and there was morning, the sixth day. (Gen. 1:26–31)

The effective meaning of *image* is given in the immediately following instruction to master the earth. Why give humankind this version of the divine dominion? Because mankind makes, thereby, a better image of "us." And why fertility and increase? Because when human beings reproduce, they are the image of their creator in his creative act. Reproduction produces reproductions, images: Don't children resemble their parents? The motive for all that precedes the creation of mankind is, ultimately, provision for that culminating act by

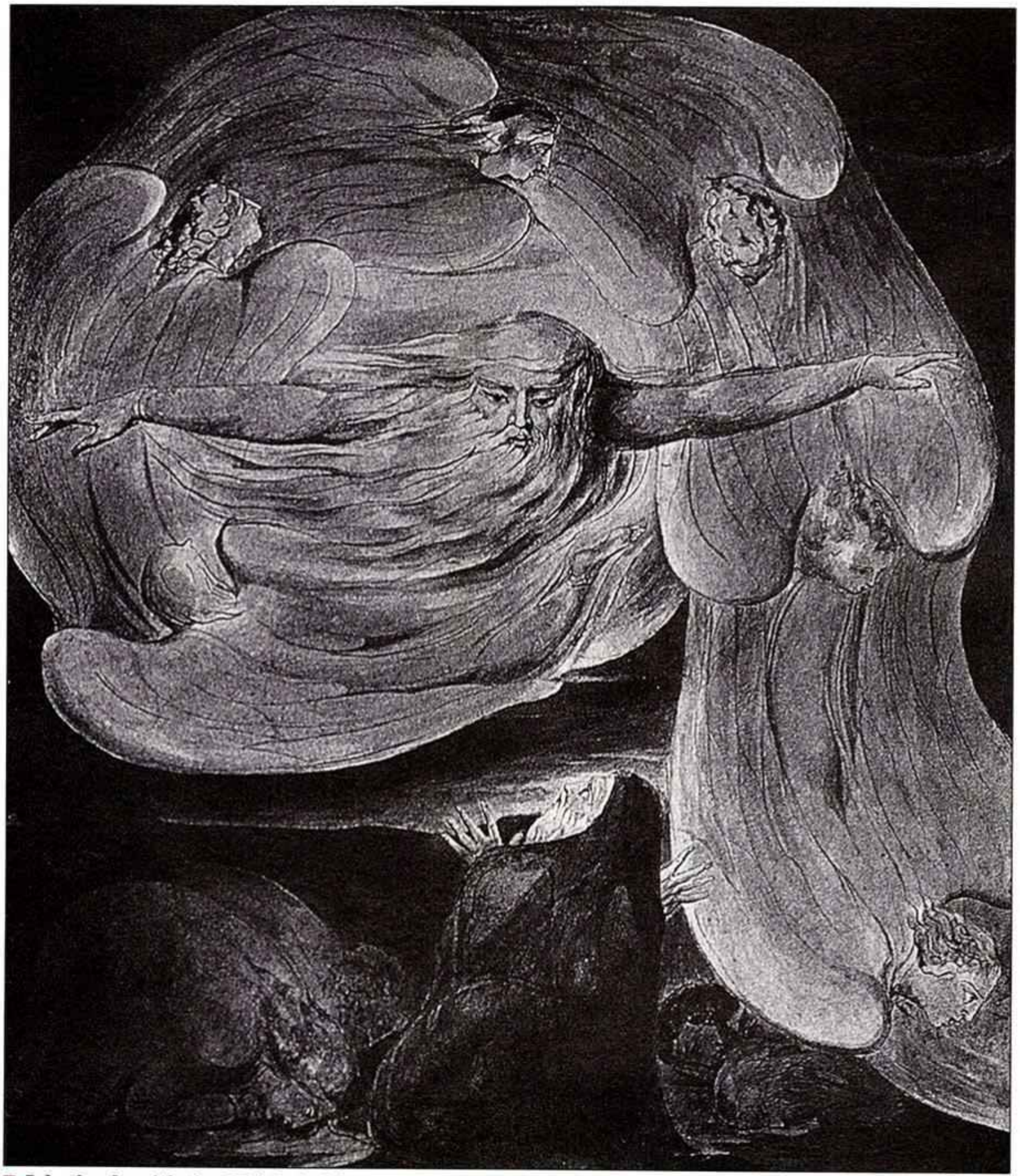
which God creates another kind of creator.

To repeat, God makes a world because he wants mankind, and he wants mankind because he wants an image. Other motives could have been operative. To choose one from the ancient Near East, he could have wanted a servant. To range later in his own story, he could have wanted a lover. He could even have wanted a worshiper. But at this point, he is not—to judge from anything he says—a God who wants love or worship or anything that can easily be named. He wants an image: But then, why should he want that? At this point, we can only guess.

God is guarded in manner, but what is he hiding? We hear of "us" and "our" image and want to hear more. If "our" image is male and female, are "we" not male and female as well? This would be the most logical, immediate inference, but nothing that follows seems to bear it out. The text speaks of God as masculine and singular. And if this God has a private life or even, as we might say, a divine social life, among other gods, he isn't admitting us to it. He seems to be entirely alone, not only without a spouse but also without a brother, a friend, a servant, or even a mythic animal. His life is about to become hopelessly entangled with the determination of his image to make images of its own. But if God's life lacked human entanglements, what kind of life would it be? We can only guess. There has been no hint of exertion in his activity. The Six Days of Creation are not like the Twelve Labors of Hercules, full of flexing muscle and dripping sweat. Unchecked, effortless sovereignty has been his defining trait. And yet, on the seventh day, he rests "from all the work of creation that He had done." Has it cost him more than we noticed at the time? Is he weaker than he lets on?

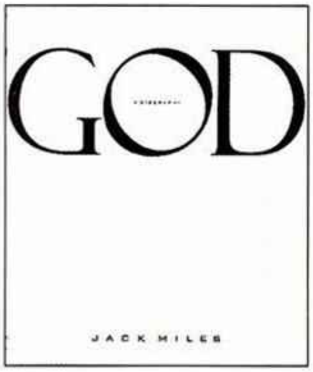
But if God's life lacked human entanglements, what kind of life would it be?

The sixth day of creation has had a slightly ambivalent outcome. His command to the male and the female he has just created is "Be fertile and increase, fill the earth and master it," and the text says, "And it was so." But it is not yet so. The male and the female have not, at this moment, shown themselves fertile, they have not increased. And God does not say of them directly, as he says directly of all his other creations, "And God saw that they were good." The final judgment, spoken by the narrator, mysteriously reading the mind of God, is rendered only on creation as a whole: "God saw all that He had made, and found it very good." "Very," for the first and only time here, but only after a faintly troubling elision where mankind is concerned. And then, suddenly, this fall into a full day of rest. God is already, at this earliest moment in his story, a mix of strength and weakness, resolve and regret. ■



■ Job pleads with the Whirlwind for answers about the horrors that befall him.

An Unauthorized Peek at God



An entertaining literary inquiry into the character of God as revealed in the Hebrew Bible helps us appreciate a pillar of our culture.

JAMES S. ACKERMAN

The publication of Harold Bloom's *The Book of J* in 1990 was a media event, because he claimed that the Bible's earliest source in the Pentateuch (Genesis to Deuteronomy) was written by a woman whose supreme artistry would only be rivaled by Dante and Shakespeare. Bloom's most important contribution, however, was his focus on the J writer's God as a literary character—a bundle of clashing incommensurates, an almighty imp who was still the sole divine power.

Jack Miles' *God: A Biography* builds on Bloom's insistence that God can be analyzed as a literary character; just as important, it stands as an all-out challenge to Bloom's notion that the only interesting God of the Bible is the Yahweh who has been encrusted under the later Pentateuchal sources. Miles invites us to look at the Hebrew Bible in its final form, to try to gain some sense of the overall characterization ("life") of God that emerges. Although some of his interpretations do not work, the overall result is both impressive and surprising—not only for this reviewer, who has done biblical research for almost forty years, but, I predict, for anyone who reads this latest literary treatment of God.

Biblical scholars will find the book interesting and provocative, but *God: A Biography* will be equally stimulating for those nonbelievers who may have wondered what the Bible is all about, as well

---

James S. Ackerman is professor of religious studies at Indiana University; author of On Teaching the Bible as Literature *(1967) and* Teaching the Old Testament in English Classes *(1973); and associate editor of and contributor to an eight-volume series on Bible and literature, published by the Indiana University Institute on Teaching the Bible in Literature Classes.*

as those of the Jewish and Christian traditions seeking to understand their origins. The author, trained as a Jesuit in Rome, later left the Society of Jesus and completed the doctoral program in Near Eastern languages and literature at Harvard University. Currently a literary columnist and member of the editorial board of the *Los Angeles Times*, Miles combines excellent scholarly training and a sharp literary eye with an outstanding ability to communicate with nonexperts.

The approach

What is so earthshaking about tracing the characterization of God by reading the Hebrew Bible from cover to cover? Has not this collection been available for at least the past two thousand years? How and why would Miles' depiction of God differ from the God of traditional Jewish or Christian theology? There are at least three major reasons:

- At least as far back as the rabbinic period and earliest Christianity, the Bible was regarded as a divinely inspired unity. A particular verse from one biblical source could be used to clarify a puzzling text elsewhere. Even in the first half of this century most of the so-called biblical theologies continued this mode of reading: The characteristics of God were listed, one at a time, and passages gathered from all parts of the Bible were clustered under each heading as illustrations of that divine characteristic. My students do the same. If God says or does something that puzzles them in a story told in Genesis or Exodus, they feel no qualm in turning to something God says in Hosea or does in 1 Kings in order to clarify his motivation in that earlier story. But the God of the Bible tells us in Genesis 1 that humans are created in his image. In some sense, then, the Bible depicts us as copies of God, and Miles puts much emphasis on this concept as he justifies his approach. We speak, we act, we react to and learn from our successes and failures, we have emotional outbursts. The God of the Bible does all of the above.

As with the people described in biblical stories, our character develops as we respond—rightly or wrongly—to the challenges that come our way. Although for many believers throughout the world he is much more, the God of the Bible is also a literary figure. Why should he not also have a character that develops in the course of his life experiences? Asserting that we have no sense of God's "successiveness," Miles aims to show the major transformations within God as the Bible moves us from the rookie Creator of Genesis 1 to his last appearance—the silent, knowing Ancient of Days of Daniel 7.

- Replacing theology's view that biblical concepts remain static, a dominant subfield throughout the twentieth century has focused on the history of Israel's religion. Using comparative data gleaned from a range of ancient Near Eastern sources, scholars have made

significant progress in mapping the changes in Israel's religion that took place over the 1,500-year period covered by the Hebrew Bible. Furthermore they have demonstrated how, in the process of articulating their concept of God, the Israelites appropriated aspects of a range of deities well known to their ancient Near Eastern contemporaries (for example, the clan guardian god, the creator god, the mountain/war god).

Although he intends to follow the biblical plot line, Miles uses what we know of the various god types of the ancient Near East to identify the characteristics that have been incorporated into the biblical God. The biblical story, however, does not reflect the actual chronological development of Israel's religion. Miles writes as follows:

> This literary achievement rests on a prior intellectual synthesis, a feat of religious rather than literary creativity. It was only as a set of several gods was imagined into a unity dynamic with unresolved tensions that the path was broken for the writing of a story of God in which the full complexity of a character with multiple personalities could be presented and the tensions within that character could be coherently and progressively revealed.

● *God: A Biography* is much more than a characterization of God that might be produced by literary analysis; the genre that Miles turns to is biography, and to my knowledge no one has tried this before. "The deepest justification for reading the [Hebrew Bible] as the biography of God," he writes,

> is that, in the way of a great many human biographies, it follows the divisions in a character as they find expression in a life's work. . . . [Often these] multiple personalities coexisting in a given immature character . . . [can] fuse in a mature and dynamic identity.

Of course, biographies normally focus on historical personages, but Miles invites us to think of God as one might think of Shakespeare's Hamlet—as a character who comes so alive during the story that his presence is felt even when he is offstage. Hamlet dies at the end of his story, and the story of God's interaction with Israel seems to reach an abrupt end in 2 Kings when the Babylonians destroy the Jerusalem temple, leading king and people into exile. The last word, however, has not yet been spoken; although God will remain offstage for most of the rest of the time, our understanding of him will continue to grow and change as we read further.

The books Genesis through 2 Kings constitute the public record of God's interaction with Israel, through which the biographer must sift to understand his protagonist. The rest of the Hebrew Bible, comprising such diverse genres as prophetic books,

Miles combines excellent scholarly training and a sharp literary eye with an outstanding ability to communicate with nonexperts.

ILLUSTRATION BY EMIKO OZAKI / THE WORLD & I

■ Jack Miles

psalms, proverbs, short stories, love poems, and so forth, when read in the order according to which it is arranged, functions as a series of witnesses whom the biographer will interview. Each provides its own unique perspective on the protagonist.

Or, to change analogies (as Miles does), think of all the books after 2 Kings as witnesses in a court hearing, including even a deposition from the protagonist (that is, prophecy), each giving his own version of what the protagonist was like and each producing on the jury/ hearer/ biographer/ reader a different impression of the protagonist. As each witness steps down, we are left wondering what we will hear next.

Miles' method requires him to read the books in the order according to which they are arranged, and here he must choose between the Christian Old Testament and the Jewish Bible. Originally, each book circulated separately in scroll form. When the codex (the earliest book form that enabled larger collections to be gathered between two covers) was developed at about the time that Judaism and Christianity split from each other, each community realized that the overall meaning of the Hebrew Bible would be shaped by the order in which the books were arranged.

Christians, wanting their Old Testament to close with prophetic voices heralding the new age they believed had been initiated by Jesus Christ, ordered the collection so that it would move from the acting God (Genesis–2 Kings) to the silent God (1 Chronicles–Song of Solomon) to the speaking God (the prophets). The Jewish Bible, on the other hand, reverses the second and third parts, thus moving from the acting God to the speaking God to the silent God. While admitting that God's life would take a very different twist if he had chosen to follow the order of the Christian Old Testament, Miles opts instead to let the biography follow the order of the Hebrew Bible (referred to as Tanakh, the Hebrew acronym for its three major sections).

God as youth and young adult

God is consistently called *God* in Genesis 1 and *Lord God* in Genesis 2–3, and this is already a sign of two competing personalities struggling for resolution within the figure of God. God is powerful,

lofty, generous, serene; he establishes the humans as rulers over the earth, and his "be fertile and increase" is more an invitation than a command. Lord God, on the other hand, restricts the humans to a garden and limits their rule over nature by forbidding access to the tree that gives them knowledge of good and evil, in other words, of how to rule.

Then the serpent appears, one of the Lord God's creatures, and he seems to function more as the Lord God's dupe or unwitting agent than as a rival. Polytheism would permit divine anger at a rival god, but the Lord God's rebuke of the serpent becomes an interior monologue of self-rebuke. Thus the serpent becomes the third personality incorporated into the figure of God.

The Lord God is also angry at the humans, banishing them from Eden; but just as they are about to leave, he covers their nakedness with skins, betraying what seems to be his regret at having overreacted. Thus Lord God emerges as a more intimate, volatile, vindictive figure than the God of Genesis 1, prone to dark regrets. He allows the humans to live, but not forever, to be fruitful, but not without pain.

When Abraham's descendants end up in Egypt, the divine blessing giving them great fertility, creates fear among the Egyptians, and leads to their enslavement. After Pharaoh tries to prevent Israel's fertility by killing its newborn males, God appears to Moses at the burning bush—as God, Lord, and the family God of Abraham, Isaac, and Jacob—fully fused into one figure. A fourth god figure is also added—the warrior/storm god who speaks from the mountain, whose glory is known/hidden by fire and smoke. Although the Exodus event has long been interpreted as revealing the justice of God, Miles sees it as God's war against Egypt to restore fertility to his people. God does not permit simple consent; he wants glory, hardening Pharaoh's heart so that he can demonstrate his genocidal power over the Egyptians.

The Lord distinguishes himself from other mountain/storm gods by being a giver of law when Israel gathers at Mount Sinai. Before this time God had shown very little interest in ethics. He does not seem to have known that he wished to deny humans the power to decide who would die until Abel's blood had cried out to him from the ground; he then tells Noah "whoever sheds the blood of man, by man shall his blood be shed" (Gen. 9:6). In the Book of Exodus we see God at the peak of his power giving laws to his people, thus defining himself as a just God—though we may wonder if hardening Pharaoh's heart is the action of a just God. By granting a new covenant with Israel, however, God is moving further away from his earlier unpredictability.

God's mid-life crisis

God's character stabilizes further after Israel enters the land of Canaan, with the Liberator God

The Lord God is angry at the humans, banishing them from Eden; but just as they are about to leave, he covers their nakedness with skins, betraying what seems to be his regret at having overreacted.

becoming the Warrior God, the Family God becoming the Father God, and the Giver of Laws to Israel becoming the Arbiter who holds nations accountable for their actions and who uses them for his ends. The Assyrians and then the Babylonians will become the agents who inflict the ghastly punishments on Israel that are described in Deuteronomy 28—the final outcome of continued covenant violation.

"What makes the Tanakh a work of literary art," Miles writes, "is precisely the way it turns the religious experience of a people into a character, the Lord God, and its historical experience into a plot." With Jerusalem in ruins and the Jews deported to Babylonia, however, the plot seems to have ended. The story, it would seem, can only continue if God can find the inner resources to move beyond the broken covenant relationship.

Coming across the Book of Isaiah, which Miles uses as God's self-characterization before and after the fall of Jerusalem, is comparable to a biographer's discovering a general's wartime correspondence after the war is over. We know the outcome of the war, but the letters show all sorts of emotions and strategies that had run through the general's mind. The early chapters of Isaiah are full of conflicting images, indicating that God had suffered high levels of distress as he anticipated the coming exile. We see God trying out different fragments of the old traditions, to see if anything will work in the new situation. The final resource that God turns to is found in Deut. 29:29. It is the mysteriousness and unknowability of his ways, not his power, that constitute his holiness.

In Isaiah there is a newfound pity, bordering on love, that God expresses for his people, admitting that they have suffered more than they deserved (40:2; 54:10). Many marriages remain at the contractual level, where both partners fulfill their part of the agreement, says Miles, and one often only becomes aware of the love one had felt for another as the relationship begins to fail. And so with God: He did not realize when he punished Israel that its suffering would elicit his love. Nor did he realize that, with Israel now scattered among the nations, its weakness and suffering could help God's newly developed desire to bring the nations of the world into a relationship with himself.

The dark side of God's nature still persists. Proverbs regards unforeseen "acts of God" that bring disaster as a mystery, but Job demands answers for the horrors that befall him. The opening scene of the story, where God is tempted by Satan into a wager that will test the nature of Job's righteousness, sets the stage for Job's challenge. God had expected that Job's piety would lead him to accept whatever befalls him; but as Job continues to question God, requesting an explanation, we see that it is God's righteousness, not Job's, that has become the main issue.

Job believes in a God who would never inflict harm on peo-

ple without good reason, even though that is exactly what God has just done to him. This continued harangue becomes an increasing embarrassment to God, who finally responds through the Voice out of the Whirlwind, where the issue of justice raised by Job is answered with the fact of divine power. It is as if God is trying to shout down Job so that he will submit. Job's answer, Miles brilliantly posits, is a refusal to answer, interpreting 40:5 as "How can I answer when you have the upper hand," and 42:2–6 as "Thou knowest that thou canst do all things. Do you say 'Who is this that hides counsel without knowledge?' Well, I said more than I knew [that is, spoke more truth than I could have guessed] . . . therefore I shudder with sorrow for mortal clay."

The Whirlwind speaker does not introduce himself to Job, and Job does not name the being whom he addresses. Perhaps, says Miles, the voice Job hears speaking from the whirlwind is the demonic element within God asking Job to accept a deity who is almighty, unknowable, and capricious but not just. If this is correct, the test of Job continues even when the Whirlwind speaks; when Job refuses to accept that kind of God, he wins. Satan disappears at the end of the story, because God has canceled the wager, praising Job instead and admitting that Job's holding out against the pious comforters, and against God himself, was right (42:7). In effect, says Miles, Job has saved God from becoming either demonic or irrele-

Books of the Old Testament

THE HEBREW BIBLE (THE TANAKH)

Torah: The Five Books of Moses

Genesis
Exodus
Leviticus
Numbers
Deuteronomy

Nebi'im: The Prophets

The Former Prophets
Joshua
Judges
Samuel
Kings

The Latter Prophets
Isaiah
Jeremiah
Ezekiel
The 12 Minor Prophets (Hosea, Joel, Amos, Obadiah, Jonah, Micah, Nahum, Habakkuk, Zephaniah, Haggai, Zechariah, Malachi)

Ketubim: The Writings

Psalms
Proverbs
Job
Song of Solomon
Ruth
Lamentations
Ecclesiastes
Esther
Daniel
Ezra-Nehemiah
Chronicles

THE CHRISTIAN OLD TESTAMENT

Pentateuch: The Books of the Law

Genesis
Exodus
Leviticus
Numbers
Deuteronomy

The Historical Books

Joshua
Judges
Ruth
1 & 2 Samuel
1 & 2 Kings
1 & 2 Chronicles
Ezra
Nehemiah
Esther

The Poetical Books

Job
Psalms
Proverbs
Ecclesiastes
Song of Solomon

The Major Prophets

Isaiah
Jeremiah
Lamentations
Ezekiel
Daniel

The Minor Prophets

Hosea	Nahum
Joel	Habakkuk
Amos	Zephaniah
Obadiah	Haggai
Jonah	Zechariah
Micah	Malachi

vant; as a sign of divine regret over such a hideous wager, Job receives all of his possessions back. Tellingly, he notes, this is the last time we hear God's voice in the Tanakh. Has the perfectly righteous Job finally shown God a human in the divine image, and has God learned something that reduces him to silence? "How, if at all," asks Miles, "will the Lord—as we now know him to be, as he now knows himself to be—return to action in the life of Israel?"

How God's life 'ends'

Just as the Tanakh had opened with both the God and Lord God stories of creation, it closes with three different endings that merge to depict an all-wise, silent, inactive God who has retired from the scene of history, leaving to his people the roles of leadership and guidance that he had once carried out on their behalf. With Esther we return to the life of the Jews as a people for the first time since 2 Kings had ended with Jerusalem in ruins and the people in exile. Jews are still scattered as a minority people throughout the Near East; when the evil Haman succeeds in bribing the Persian king into issuing an edict permitting a pogrom against all Jews, we are reminded of Pharaoh's genocidal attack that had prompted Israel's exodus from Egypt. This time, however, no one calls on God; he does not intervene to save his people, as he had in the past. In fact, God's name is not mentioned at all in the story. Mordecai and Esther do not wait for the Lord; the Jews are now responsible for themselves and work out their own deliverance.

We see God making his last appearance in the Tanakh, sitting silently enthroned as the Ancient of Days in Daniel 7. The rise and fall of empires is known by the heavenly host, one of whom explains to Daniel what will happen, but the outcome is not attributed to any act or plan of God. World history from beginning to end is like a vast film whose contents can be known before it is projected; the heavenly host has access to that film, and at crucial times its contents are revealed to Daniel. There will be a fierce struggle in heaven and on earth, each nation guided by its "prince" (Israel's is Michael); the victory for Israel is already assured, though God plays no role in the outcome.

In earlier days, the Lord had performed mighty acts on behalf of Israel; but at the close of the story, under the leadership of Ezra and Nehemiah, we see Israel acting energetically on behalf of the Lord. Leaders and people are pictured as devoted to the Lord, eager to serve him, totally repentant if they have done anything wrong (compare this with the generation of Moses!). Whereas earlier prayer had requested that God act for Israel, the leaders—though still addressing God in their prayers—request that Israel act on behalf of itself.

With Nehemiah, who had been the Persian king's cupbearer, there is a meaningful literary shift

from third-person to first-person narration, as we see him returning to Jerusalem and having greater control over the flow of events than any former leader of Israel. He takes charge of rebuilding the wall around Jerusalem, defending the Jews from their enemies, all the while praising God for his success. Just as Moses had first brought the law to Israel at Sinai, Ezra reestablishes that law as the law of the land. At Mount Sinai the Lord had come down; Moses and the elders "saw the God of Israel . . . and they ate and drank" (Exod. 24:9–11). When Ezra now reads the law to the Jews in Jerusalem, there is no corresponding theophany. Instead he stands on a podium holding out the scroll on which the will of God is inscribed, and the people all bow down.

Never ending story

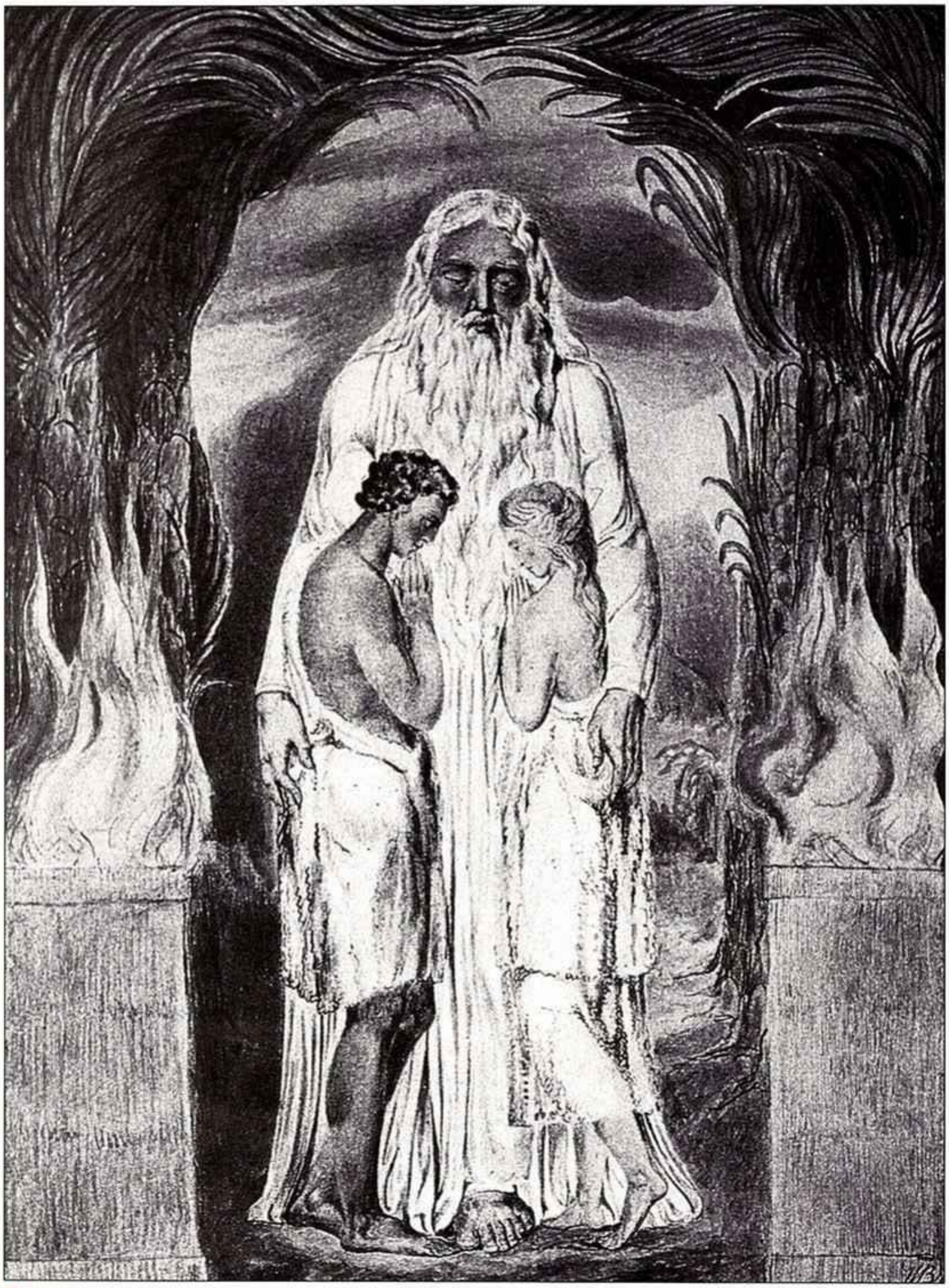
A biography normally concludes with the death of the protagonist. Miles notes that the last verse of the Tanakh, in 2 Chronicles, leads right back into the first verse of the Book of Ezra, which continues into Nehemiah, going on to 1 Chronicles, which begins with Adam, creating a "round" that will never cease being sung. Thus the Tanakh never does come to an end, and God does not die. He lives on as he has been incorporated into the life of the Jewish people.

I wish that I had prophetic power and could predict the effect Miles' contribution will have on future biblical scholarship. Will it be an Edsel—an interesting museum piece that other manufacturers point to but choose not to follow and improve upon? Or will it be a Mustang—the new model that all manufacturers will try to emulate and fine-tune? I certainly hope that *God: A Biography* will emerge as a Mustang, though the model still needs further development and improvement.

Because there is so much material, some areas briefly touched upon cry out for further development (for example, the repressed female gender that is part of God, hints of which are scattered throughout the Tanakh). I was also sometimes not convinced by Miles' occasional flat assertions that require further textual evidence (for example, that Abram gave Sarai to Pharaoh because he was displeased that God had repossessed the power of fertility that had been bestowed upon humans in Genesis 1). Making further improvements on the biography-of-God model, however, is a worthwhile project that would require the best talents of other biblical scholars.

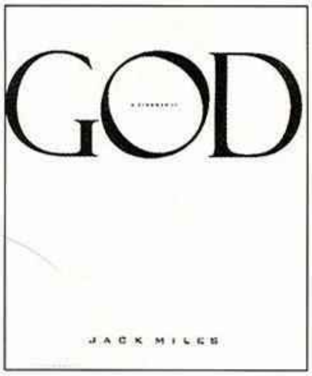
With his focus on the sequentialness of God, Miles has opened up a whole new way of reading the Tanakh. He has already discovered some rich treasures along this path, and other travelers will enjoy the ride. ■

In effect, says Miles, Job has saved God from becoming either demonic or irrelevant.



God created man in His own image, male and female.

A Biography without End



This witty, audacious piece of literary criticism is nevertheless based on a literary conceit.

ANDREW WILSON

Have you ever been personally involved in some incident that gets reported by the news media? More often than not, when you read the news reports in the morning paper or watch them on evening television, you discover they bear only a marginal resemblance to what you actually saw and experienced. Jack Miles' book, *God: A Biography*, stirred such feelings in this reviewer. On the one hand, he has written an intelligent, even audacious, work of literary criticism. On the other hand, as a believer and one who experiences God in my life, I do not easily recognize it to be about the same Person whom I know and love. This is not necessarily through any fault of Miles', who is an accomplished literary critic. His perceptivity and erudition make *God: A Biography* well worth reading. The nub of the issue is the method of literary criticism itself, when it is turned to a subject that has a continuing religious life.

Miles takes the Old Testament, or more accurately, the Hebrew Bible, as the subject for his witty and perceptive literary reading. He finds God to be a complex character, full of inner contradictions. From the beginning, God does not know how to relate to his unruly creation, alternately creating and then destroying with a flood. God promises blessings to Abraham and then demands that he sacrifice his son. He gives the Law and requires justice, yet in the case of Job shows himself to be less than perfectly just. Meanwhile, God discovers that his human creatures have their own

---

Andrew Wilson is editor of World Scripture: A Comparative Anthology of Sacred Texts *and adjunct professor of biblical studies at Unification Theological Seminary.*

demands, to which he must ultimately bend in order to continue their relationship.

God's biography develops like that of a character in a novel or play: In his "youth" he is impulsive and manifests great powers, while suffering setbacks that lead to moments of self-discovery. In midlife he joins in a covenant with his chosen people and seeks to raise them to reflect his image. When they prove faithless, he turns malevolent and unleashes destruction upon them, yet at the same time he regrets his action and seeks some way for reconciliation.

To appreciate what is most innovative, even ground-breaking, in Miles' approach, it is helpful to recall the world of the academic study of the Bible, which has been dominated for the past fifty years by historical critics. Their approach has been to treat the Bible as a composite record, formed over one thousand years of history. Typically, they will isolate a single strand, situated in a particular time and place, and ask historical questions about that small piece of text. The method inevitably sharpens differences, not least in the various ways in which God appears: the transcendent and regal Creator in the priestly (P) source of the first chapter of Genesis, the intimate friend of Abraham in the J narrative, the divine warrior in the oldest poetry of the Exodus and conquest (Exodus 15, Judges 5), the defender of the nation and throne in the Deuteronomistic history running from Joshua through Kings.

A composite God

Historical critics have noted that Israel selectively borrowed elements from many foreign cultures and ascribed them to God, while vehemently rejecting other elements. For example, when God appeared to Moses in the thunder and storm clouds covering Mount Sinai, he was displaying attributes of the Canaanite storm god Baal. At the same time, Israel's God had no consort, and Israel rejected any sexual metaphors for creation, in strict opposition to Baal's fertility cult as practiced by the Canaanites. These elements gave God a variegated personality, or set of personalities.

Historical critics trace the genealogy of God within the evolution of the religion of Israel. God's various personalities have been the guises by which he was known in different eras, as the religion of Israel developed and distinguished itself from its polytheistic background.

Miles is well-versed in historical criticism—he cannot resist making an extended critical argument himself when discussing the Book of Job—and frequently brings these insights to bear in his biography. Yet he is not particularly interested in historical questions. He reads the Bible as a singular religious synthesis, not as a work of history. As such, it reveals in story and word the person of the one God.

The various personalities of the divine as teased out by historical critics are read as aspects of a

single complex personality. For Miles, they enrich and deepen God's biography. He describes his work as "turning their observed inconsistencies imaginatively into God's experienced inner conflict. . . . The emergence of monotheism from polytheism can be recovered for literature as the story of a single God struggling with himself."

The result is a nuanced and often perceptive portrayal of God's character. Given the author's considerable wit and literary sensitivity, the result is illuminating and challenging to our common understanding. But to anyone versed in theology, it is also troubling.

Take, for example, the question, Why did God create human beings? In Genesis 1, God explains his purpose: "Let us make man in our image, after our likeness." God evidently wanted to reproduce his image, to which he gives further specificity: "Be fruitful and multiply, and have dominion." The meaning of being an image is to be a cocreator, to reproduce—for example, to make more images through having children—and to master the earth. But in the following two chapters (historical critics have long recognized two creation accounts from different sources), God has different concerns. There is no mention of making humans in God's image; if anything, God is concerned lest the man and woman become too much like himself and become immortal. We read of a prohibition, a tempter, a transgression, and swift punishment. Yet God calls out to the guilty Adam and Eve, "Where are you?" as though he is admitting his own need for a relationship with the human beings. He expresses this even more poignantly when he tenderly clothes them as they depart from Eden.

How can one accept that, in these stories, God has two personalities? Indeed, he will evince many other personalities throughout the Bible. Should they be reconciled? How can they be? In one story, God is the sovereign Creator; in the other he is in need of human companionship. In one he gives magnanimous blessings without any conditions on his creatures; in the other he demands obedience and seems excessively harsh and vindictive when they disobey.

Miles, with critical honesty, never seeks to harmonize the various personalities. Yet they belong to one and the same God. This sets up a creative tension that is worked out in the later chapters of the Bible. For instance, God's purpose to create human beings in his image and his need to maintain companionship with them despite their unruliness will eventually lead to the covenant with Israel. The laws of the covenant mold the people into God's image, while its promises, particularly in the covenant with David, assure a continued relationship, come what may. However, this resolution comes only after a long struggle. Here, at the outset of God's life, they are two rough and contradictory personalities.

Miles has determined from the outset to approach the Bible as a literary critic would approach a

Given the author's considerable wit and literary sensitivity, the result is illuminating and challenging to our common understanding of God.

play. Hence he assumes nothing about his character, except what God reveals of himself as the action and dialogue unfold. Moreover—and this is somewhat of a stretch—Miles assumes that the Bible transparently tells the story of God as he himself lives. It does not conceal any hidden motives or purposes.

Before the creation, God had no past. When Abraham argued with him and he conceded, he was discovering the limitations of his own power to control human beings. God experiences the world through relationship with people and thereby learns about himself. The Bible is in effect taken as a biography of God, who like anyone begins as an innocent child and grows to the wisdom of age.

Unrecognizable Father

Such a literary reading of the Bible is a modern conceit. It appeals to the secular mind. However, this view of God would hardly be recognizable to Jewish or Christian believers, or to those for whom God is a living presence in their lives. The God who is known through faith is a living presence. He is not a character of fiction or history who had a "life." Rather, what is known or believed about God is informed by all his words and deeds in the Bible simultaneously. And that is how the Bible has been read in the Jewish and Christian traditions.

If in two stories he appears to behave in a contradictory manner, the believer will try to discover how the stories may each illuminate different aspects of the single personality of the living God. Perhaps there are hidden dimensions to the nature or will of God that were not apparent to the human actors in those particular biblical accounts, which permit us to see consistency where the text seems inconsistent. After all, believers know God in their lives as a single, unified personality. Theology and religious experience demand that God be consistent and unified in his ways.

Returning to our creation stories, a theological assessment of God's purpose in creating human beings would draw lessons from both accounts. God indeed purposed from the beginning that humans be in his image and also be fit companions. They are both aspects of one purpose, because God can find the closest companionship with people who most fully resemble him. The prohibition in the second creation story of the fruit of the tree of the knowledge of good and evil, meaning some irresponsible expression of sexuality, also says something crucial about what it means to manifest God's image; it requires responsibility to gain mastery over one's base desires.

Elsewhere in the Bible, for instance in Leviticus 19, the Bible expounds on what it means to be in the image of God in ethical terms, calling for us to love our neighbor as ourselves. Much later in the New Testament, the Gospel of John will return to the question

of God's image at creation and assert that the true fulfillment of God's image would come in Jesus Christ. In its immortal opening verses it speaks of Jesus as the incarnate Word, meaning the full manifestation of God's blueprint for creation.

Does it matter for our understanding of God that these accounts of what it means to be in God's image are not told sequentially? Not for theology and not for most people for whom God is alive and real. Would not God have conceived a clear design for creation before commencing his creative acts? That is surely the import of John 1, not to mention Proverbs 8, where Lady Wisdom is God's confidant and adviser before the creation of the universe. To put it another way, Miles' description of God as an innocent growing up is not particularly godlike. We tend to think that God knew what he was doing when he began creating and planned it out, at least as well as does a human artist or designer.

Yet Miles characterizes God as discovering himself only through his interactions with the humans he created:

> As for the concrete particulars of what God wants mankind to be, this he only discovers as he goes along. . . . God's attempt to shape mankind in his image would be far more comprehensible if God had a richer subjective life, one more clearly separate from, more clearly prior to, the human object of his shaping.

Believers are content with a God whose mind is inscrutable and mysterious ("For my thoughts are not your thoughts, neither are your ways my ways, says the Lord," Is. 55:8). God presumably has a rich subjective life, one that is not often indicated in the Bible, with its remarkable economy of words. But for this literary approach, which imposes a sequential reading, God's comments about his subjective life can only apply to his inner life at the time of Isaiah, not earlier.

Miles' description of God as an innocent growing up is not particularly godlike.

The Almighty fades away

Nowhere does the picture of God that Miles draws out by his reading of the Bible as literature come more into conflict with God as felt and experienced in faith than at the end of the biography. In the concluding books of the Hebrew Bible, God seems to fail and recede into a bewildering and fitful silence. God's outburst at the conclusion of the Book of Job is his last sustained speech. For Miles, these are words of moral ambiguity, even of moral defeat, against the persistence and clear thinking of the righteous Job who seeks for a God who is just. Despite God's thundering recitation of his mighty acts, Job has the best of the argument.

After this encounter, God recedes into silence. The skeptical Ecclesiastes pays him little mind, and in Esther the Jews are saved without even one mention of God. God fades into the distance, the

white-headed Ancient of Days whom Daniel sees seated on the throne. Meanwhile, people struggle to keep his memory alive and to honor him more in his absence than they had in his presence. Once again the question arises, does this distant, even absent, God ring true to those who know him?

This sequential reading of the Bible as literature seems to require such a picture of God's slow senescence, particularly if the Bible is read in the order of the books in the Jewish Bible, the Tanakh, rather than the order of the books in the Christian Old Testament. But again the question arises, is this sequential reading a literary conceit? The Bible has never been read this way by either the Jewish or Christian communities of faith.

As Miles admits, the Hebrew Bible was originally a collection of separate scrolls. They were only combined into one volume with the invention of the book, or codex, in the first century of the common era. Jews continue to this day to use scrolls in their ritual readings of scripture and to divide up the books for the purposes of study and commentary. Christians took to the newer book format from the start, but the Christian Old Testament arranges the books in a different order. This makes a crucial difference in even a literary reading of God's biography.

Nevertheless, the Bible retains the character of an anthology. Jews do not read the Tanakh as literature from beginning to end. The holiest books are the Torah, which are the first five. They contain the essence of who God is and what he requires of man. The remaining books are commentary and elaboration of the Torah. A believing Jew would not characterize God's life as one of self-discovery, any more than he would assent to the older historical-critical view of the Bible as a progression from polytheism in the days of Abraham to the high monotheism of the prophets. God is who he is and ever will be, the eternal "I am." He most essentially revealed himself through Moses, as recorded in the Torah.

Likewise, Christians have their holiest books, the Gospels and letters of Paul in the New Testament, which give normative definition to who is God. Whatever God did or said in the Old Testament, it only prefigured fuller revelation in the New. If God faded into obscurity in the latter pages of the Hebrew Bible, he reappeared in a new and more glorious manner in Jesus Christ. Furthermore, the Christian Old Testament places the books in a different order than that of the Hebrew Bible. In the Old Testament, the books where God is mostly silent—a collection called the Writings—are placed in the middle of the Bible, while the Prophets, where God speaks often and loudly, are at the end.

God's ongoing life

If Miles were to write a biography of God based on the Chris-

tian Old Testament, God's character at the end would be the Holy One of Isaiah, breathing apocalyptic threats of universal judgment and promises of new blessings to come for his faithful ones. It would end with an air of expectation, hope, and unfinished business. It would thus be a proper prelude to the New Testament, where God finds his image in a new and higher form, in the person of Jesus Christ, the divine Word incarnate. He would find that the New Testament also ends with unfinished hopes, apocalyptic threats, and unfulfilled promises. In fact, the story of God in the New Testament in many respects recapitulates and repeats the story in the Old Testament.

God: A Biography is a groundbreaking effort to apply the methods of literary criticism to the Bible by one who is well-versed in the conclusions of contemporary biblical scholarship. The biography is on solid ground when it reveals the various tensions within the personality of God during the course of God's struggle to relate with human beings and raise them up in his image. God's life in relation to human beings has indeed been one of high hopes and disappointment, of punishment and regret, of compromise and painful education, of frustrations and small successes. To the extent that theology has smoothed over these difficulties in the life of God, reading *God: A Biography* can be revealing.

However, we must not overlook the literary conceit implicit in treating the Bible as a work of literature and God as a literary character. For God is not dead literature; he remains a living companion and loving Father for billions of people in the world. Moreover, those who take the God of the Bible seriously do not read it as literature. Was Miles' decision to base his biography on the Tanakh, with its particular ordering of books, motivated by more than just the recognized priority of the Hebrew Bible as containing the most accurate text? Or was he also so inclined because this order makes the story of God come to a convenient closure? Such an ending may be endearing to secularists, but it misrepresents the history of God.

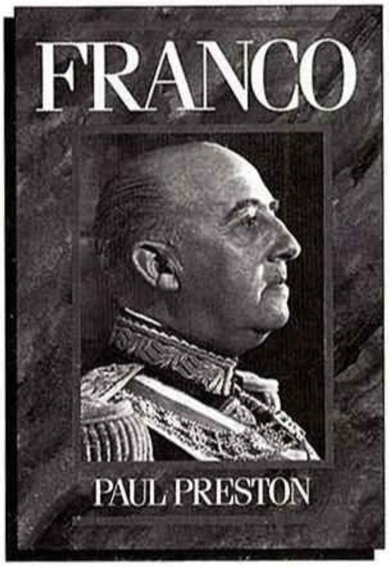
In the history of Western civilization, God has remained an enlivening, critical, even subversive presence. Like the Holy One of Isaiah, he has done new things and brought forth new dreams. Like the God of Deuteronomy, he established holy institutions, and like the God of the prophets, he tore them down under the banner of reformation. He has wrought terrible destruction and people have despaired of his presence, yet he lives on.

Through his inspiration Christianity and Judaism have thrived, changed, and undergone periodic renewal. The power and influence of God in our culture cannot be properly reckoned if his life is conceived of as ending within the pages of the Bible. For those of us who take the reality of God seriously, God lives on. ■

The power and influence of God in our culture cannot be properly reckoned if his life is conceived of as ending within the pages of the Bible.

The Enduring Dictator

A British historian examines the life of the man who dominated Spain for most of this century.



FRANCO
A Biography
Paul Preston
New York: Basic Books, 1995
1,056 pp., $37.50

THILO ULLMANN

Españolito que vienes al mundo, te guarde Dios,
una de las dos Españas ha de helarte el corazón.

(Little Spaniard that joins the world, may God help you,
one of the two Spains will freeze your heart.)

The Spanish poet Antonio Machado thus described the national state of mind during the first half of the twentieth century. No single figure can claim greater credit for the perpetuation of this state of affairs than Francisco Franco, model of dictators, whose biography by the British historian Paul Preston is now being touted as definitive.

Franco is, in foreign eyes, the most visible and defining figure of Spanish modern history. The civil war that he initiated and

Thilo Ullmann is a Spanish free-lance writer and correspondent for El Norte de Castilla, *the oldest continuously published Spanish newspaper.*

won fed the illusions of European and American intelligentsia; it has lingered in the awareness of the thirties generation, which saw on the bloody plains of Spain a metaphor for the upheavals that were to follow in Europe, Africa, and the Pacific. It provided material to Arthur Koestler, Stephen Spender, Gerald Brennan, Ernest Hemingway, and André Malraux.

The British in particular involved themselves on both sides of the conflict and with its historiography. The most relevant accounts of the war have been written by British historians Stanley Payne, Herbert Southworth, Raymond Carr, Gabriel Jackson, and Hugh Thomas. We are not surprised, therefore, that a British scholar has produced this weighty volume.

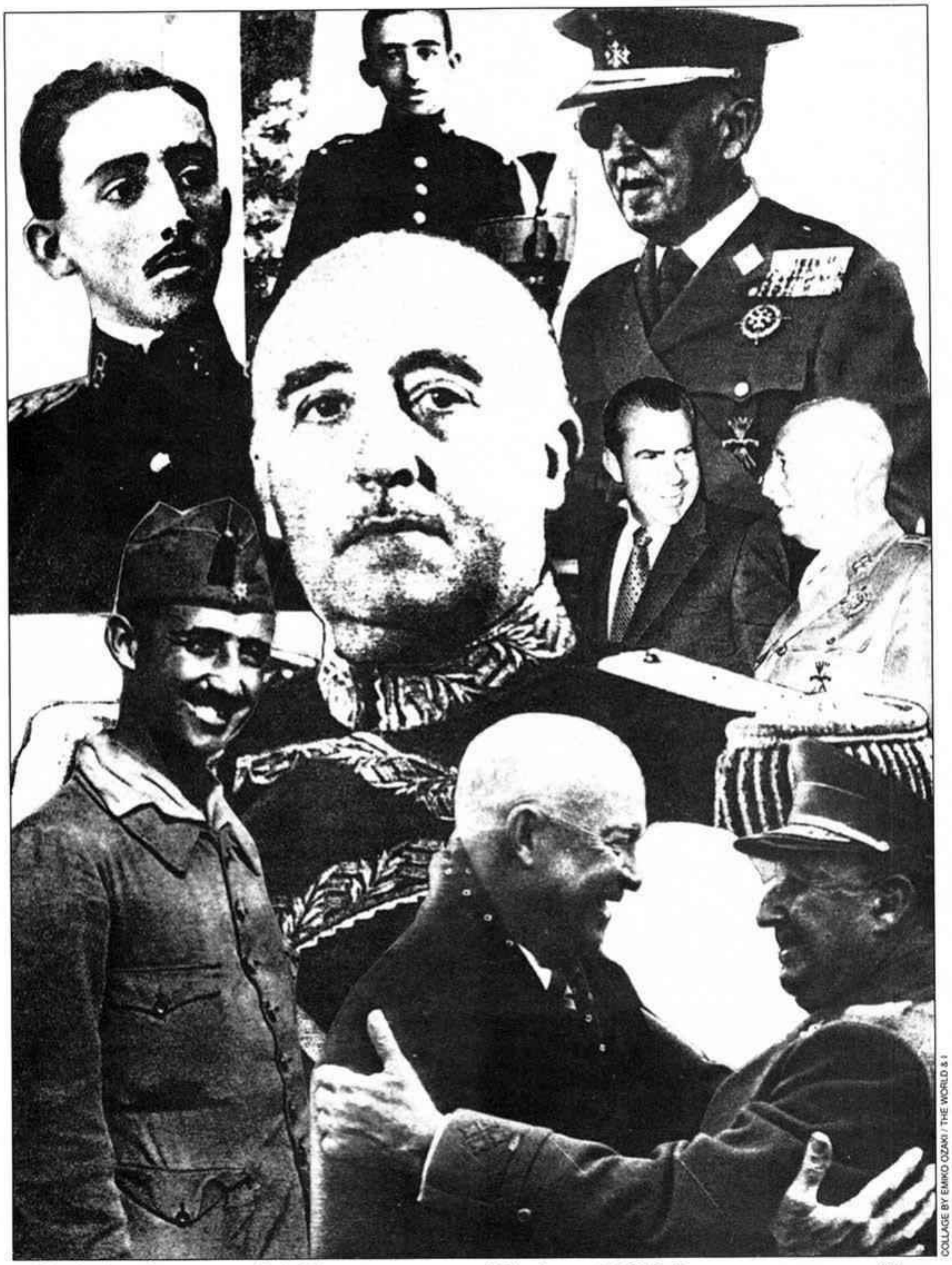
We *are* surprised by the sheer mass of data that Preston has marshaled in more than twenty-five years of research. He has perused all known sources available in Spain and abroad, especially the newly opened archives of the Spanish Crown at Simancas, the secret archives of the repression at Salamanca, as well as Italian, German, British, and French official archives and memoirs, works, and theses published up to 1992. He has even read all of the writings and speeches of his subject—famous for an excruciating dullness of utterance and content—in itself an admirable endeavor. The bibliography of this book covers 33 pages, the footnotes 131.

This wealth of information can at times overwhelm the reader. Sometimes, paragraphs succeed each other with mechanical uniformity and the characters keep "telegramming" each other; sometimes Spanish syntactical constructions rub through into the English text. But these are mere quibbles about an otherwise robust and exhaustive achievement.

Surely the predominance of foreign writing on Franco and his war must be the result of numbness in Spain itself. For almost forty years the daily comings and goings of one man and his coterie had been closely chronicled by a controlled and sycophantic press. During his life the few attempts at biography were officially sanctioned, if not commissioned, and produced only hagiography. Luis de Galinsoga's *Sentinel of the West* (1956), for example, was aimed at constructing Franco's image as a fighter against communism, to further his acceptance by the United Nations and the United States. Shortly after the book was published, President Eisenhower spearheaded a stream of foreign dignitaries who legitimized Franco's regime by their presence in Madrid, in effect, consolidating his hold on power.

The predominance of foreign writing on Franco and his war must be the result of numbness in Spain itself.

After Franco's death, Spanish historians centered their interest more on the social and economic consequences of his long reign and on specific facets of his methodology of power. Preston's work, on the other hand, covers the same territory in one volume, follows the ascension and personal evolution of the man, the military commander and political leader who embodied all of Spanish history for four decades. Preston provides a vision that we might define as biological, tying the evolution of the country to the physical constitution of one man. Two months of Spanish history, October and November 1975, can be read in the dying Franco's medical records.



■ *Clockwise, from upper left:* Franco as a second lieutenant, 1910; Franco as an army officer cadet, c. 1908; Franco c. 1971; Franco with Nixon, 1970; Eisenhower's visit with Franco in Madrid, 1959; Major Franco in Morocco, 1920. *Center:* Franco during the 1960s.

Preston shares with his Spanish colleagues a visceral dislike for the man. He does not recognize a single likable or admirable trait in Franco's character. The dictator is portrayed as unimaginative, even dour, mean-spirited, vainglorious, and narrow-minded. Whenever events flow in Franco's favor, it is because of historical fatality, economic determinism, or somebody else's intervention.

Preston cannot find any of the heroic qualities that the official panegyrists endlessly tried to portray. Where Mussolini exhibited panache and personal charisma, where Hitler projected a hypnotic spell, Franco could show nothing but low peasant cunning and caution. His personal appearance was unprepossessing: short and balding, with an early paunchlet and a squeaky voice. As he clutched power to his chest he accoutered himself with the external signs of hierarchy—uniforms, braids, caps, and medals.

The dust jacket shows Franco at his most exalted in the official photograph taken in the sixties by the Hungarian-born photographer Gyenes. Franco was reported to like the picture very much, because he saw himself endowed with the dignity commensurate with his function. (Gyenes remained for many years the photographer of choice for the entire Franco family.) The hieratism of the uniform, stiff with gold braid and embroidery, and rigidity of the epaulets supports the head of a middle-aged man with a prominent forehead and strong nose. His thinning hair is tightly laid back and glued down. The mouth is firmly closed, corners pulled down into long crevasses of intolerance and held in place by what the Spanish call "an ant's track of a mustache" over a pronounced double chin. The most striking feature are the eyes, dark and expressionless, fixed on infinity.

This faraway gaze also speaks of his focus: Franco claimed that he was responsible solely "ante Dios y ante la Historia," before God and history. Nobody else, he claimed, was entitled to judge him or his motives, his life of toil as the "sentinel without relief" in the service of his country, defender of the faith, and, later on, of the Western world.

Franco's 'labyrinthine ambiguity'

The most prestigious and also the youngest general in the Spanish army, Franco had risen rapidly through the ranks during the 1920s colonial wars in Morocco;

Preston shares with his Spanish colleagues a visceral dislike for the man.

there, Preston tells us, he was "to show a merciless readiness to impose his power over men physically bigger and harder than himself, compensating for his size with an unnerving coldness." In Morocco he learned his craft: "Franco had come to associate government and administration with the endless intimidation of the ruled." His tenure as founder and director of the military academy at Zaragoza from 1927 to 1931 earned him his reputation as a very conservative, antidemocratic martinet. Most of the teaching staff became his commanders during the civil war.

But his innate caution and respect for the chain of command made Franco a very reluctant conspirator. He distanced himself from General Sanjuro's failed attempt

against the newly established democratic republic in August 1932. Preston speaks of "Franco's labyrinthine ambiguity." It was to be no different during the spring and early summer of 1936 when, after the electoral triumph of the Popular Front on February 16, the army seethed with rumblings and conspiracies. Franco did not take part in the early planning of the uprising, a fact that he later tried to disguise. The "labyrinthine ambiguity" was again in evidence as late as June 23 in a letter he wrote to Prime Minister Casares Quiroga. It can be read both as a personal statement of loyalty to the government and as a warning of the coming rebellion, hinting that Franco might be the man to avert the worst.

Once the uprising was under way, however, Franco quickly moved to consolidate his leadership. After the first few days it became evident that Spain was fairly evenly split between the insurgents and the government. The *pronunciamiento* as such had failed: A protracted war was to follow. Franco established relationships with the Germany of Adolf Hitler and the Italy of Benito Mussolini and secured supplies that were specifically committed to him and no one else.

When in September a leader or *caudillo* had to be chosen by the junta of rebel generals meeting in Salamanca, Franco maneuvered to become the obvious choice, despite what Preston describes as the others' reluctance "to bestow wide-ranging authority on Franco, since they suspected how difficult it would be to persuade him to relinquish it." It has been claimed that Franco's brother Nicolas tampered with the decree appointing his brother head of government of the Spanish state, erasing the word "of the government." Preston says: "Tampering was not necessary. Made Head of the Government . . . Franco simply referred to himself as, and arrogated to himself the full powers of, Head of State."

A fascist?

During the next three years, until April 1, 1939, the Spanish civil war became "Franco's war." It destroyed the country's infrastructure, killed several hundred thousand, exiled or silenced a generation of Spain's best and brightest children. Preston tells us that "in military terms, Franco had every confidence in his ultimate victory, though with a calendar marked in years rather than months. His allies found it difficult to comprehend his long-term view of the political benefits of a war of attrition." Franco's proverbial caution served his interest of deliberately ruining the country, annihilating his enemies to allow him better to build his own state, not primarily Hitler's or Mussolini's fascist state. In fact, he left the political content of his state to his brother-in-law Serrano Suñer, who put into place all the fascist trappings of power methodology.

Franco's four guiding lights, or demons, as Vazquez Montalban has called them, were (1) Catholicity, the historical imperative of Spain as the defender of the Catholic Church; (2) unity, the identification of the Castilian identity as the essence of Hispanity, suppressing all of the competing and differentiated Spanish nationalities, like the Catalan and Basque; (3) greatness, both as "nostalgia and hope" in the words of Montalban; and (4) universality to carry the Spanish truth to the world by the word and the sword.

On such medieval ideals Franco built a totalitarian state, self-sufficient and pure. On the home front, repression of the Freemasons and communists, Franco's obsessions, and of any other dissent continued until his death. He personally and rou-

tinely approved executions of political prisoners with the words "Nothing can be done," handwritten on the margin of their dockets. Prisoners of war were put to work building, at a cost "equivalent to £200,000,000," his personal memorial at Cuelgamuros, next to Philip II's palace at El Escorial.

According to Preston, Franco governed with the "stratagems and devices [learned in Africa] which were to become his political hallmarks. He had observed that political success came from the cunning game of divide and rule." Thus, "the ability to calibrate almost instantly the weaknesses and/or the price of a man enabled Franco to know unerringly when a would-be opponent could be turned into a collaborator by some preferment, or even the promise of it." He mastered these tools so well that he was able to remark how easy the country was to govern—almost no work at all. Franco's leisurely life-style allowed frequent prolonged hunting and fishing trips, long weekends, and time off to write. He produced a novel, a filmscript extolling the virtues of an ideal Spanish family, and, under two pseudonyms, a succession of newspaper articles on economics (in which he had no training) and the Freemasons, his bête noire.

The international front gave Franco more trouble. After the demise of his fascist patrons, the world order specifically excluded him. Franco had progressively distanced himself from the initial fascist trappings, portraying his policies as anticommunist. He extolled the doctrine of the two ways: the European war pitting Germany against Great Britain and the United States, in which he had been neutral, and the war against the communist dragon, which he had won in Spain and taken to Russia with a Spanish contingent in the German army. As the Cold War gained in strength, Franco's predicament eased. When Dean Acheson wrote to Sen. Tom Connally of Texas in 1950 that "the United States would be prepared to vote for a resolution permitting members [of the United Nations] to send ambassadors to Spain," Franco had no doubt that he had come through.

Spain after Franco

In 1958, the utter failure of state-intervention economics brought about a dramatic dwindling of Spain's foreign reserves, with rocketing inflation and growing working-class discontent. The measures that followed, Preston says, constituted "a reversal of twenty years of Francoism." They also made possible the economic boom of the sixties, the prodigious decade that brought Spain into the ranks of industrialized nations. As Preston describes it, "a process was taking place which was moving Franco imperceptibly from the center of political life. . . . A society was emerging with problems and concerns that meant nothing to a Franco locked into the mental set of the Civil War and the 1940s." He presided ceremonially over a Spain whose elites and oligarchy had devoured and digested Francoism to their advantage.

Franco came to believe himself immortal and planned nothing for a Spain without him.

At a 1975 rally commemorating the thirty-ninth anniversary of his elevation to power, the senile and frail Franco addressed his faithful for the last time, then went home to nurse a bad attack of influenza. On Octo-

ber 14 he suffered a heart attack, followed by a second on October 20. Franco's son-in-law Villaverde frantically tried to maintain appearances while consolidating his business dealings and influence; all kinds of heroic measures were used to keep the 82-year-old man alive through a succession of hemorrhages, blood transfusions, stomach ablations, and kidney failures. Finally, on November 20, 1975, his daughter "insisted that he be allowed to die in peace."

His death confirmed, a pall descended over Madrid. People crowded the supermarkets to stock up on essentials. Some staples, like oil and rice, were sold out. Robert Hughes has said that in Barcelona, supermarkets ran out of champagne.

The prime minister, Carlos Arias Navarro, who had seen Franco's alter ego Carrero Blanco blown over a six-story building by Basque separatists on his watch as minister of the interior, appeared on national TV to read Franco's last will and political testament and choked up before the end. In 1936 he had taken over the repression in Málaga with such enthusiasm that he acquired the nickname of "little butcher of Málaga." Now he was known as "Topo Gigio," an Italian cartoon mouse.

Times had changed. As the country awoke from its long slumber, the pace increased. King Juan Carlos took over, as mandated by Franco's constitution, and events jostled each other across the national stage. A new constitution was drafted, submitted to referendum, and approved; the Communist Party, that old bugaboo, was legitimized over a weekend. Elections were held in 1979, with unprecedented turnout, and the resulting government proceeded to dismantle what remained of the creaking edifice of Francoist laws and habits. The last free elections had taken place in 1936; any Spaniard born after 1925 voted now for the first time.

In the streets, everything that had been forbidden for forty years was now legitimate. This society, known in the world for its piety, propriety, and soberness, became in the course of two or three years the most hedonistic in Europe. For almost forty years the remaining 1936 Republicans had been muttering ominously, under their breath: "Wait until we turn the omelet around." Now the omelet was cooked, and guess what: It was delicious.

The man who had become, in his own eyes, the embodiment of the nation, whose shadow had hovered over a generation of Spaniards, was forgotten almost as soon as he was buried and became fodder for historians. Some rumblings persisted; the old officers rattled their sabers for the last time in 1981, but Spain recovered a lighthearted self-assurance. Like any prisoner suddenly released, it blinked and stumbled for a while in the new light, turning as soon as possible to the business of living daily to the best of its wits.

Franco had tried to stem the flow of life, to hold back much-needed change. He was willing to make the country pay a very high price, not only in lives and destruction during and after the war but in missed opportunities and wasted minds and resources in the aftermath. Franco came to believe himself immortal and planned nothing for a Spain without him. The country succeeded in avoiding another disaster due to the good sense of those who discovered that Franco's superstructure was irrelevant to a society no longer chained to the myth of the two Spains.■

Fear on the Mountain

A compelling new novel re-creates the eleven-day siege on Ruby Ridge by overzealous ATF and FBI agents .

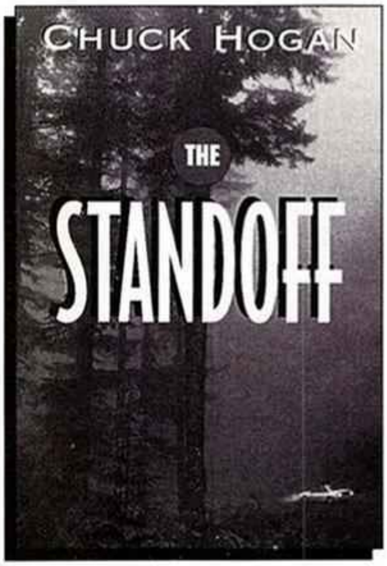
JERRY SEPER

Samuel Weaver was small for his age. The thirteen-year-old boy weighed only seventy-five pounds. His high-pitched, childlike voice was unmistakable. Even his last words, "I'm coming, Dad," rang out his youthfulness with clarity. That's what made his death so inexplicable. The boy was killed by federal agents—shot in the back—when a trap to lure his fugitive father, white separatist Randall Weaver, to a mountain ambush during a standoff in a remote area of Idaho went awry.

The Weaver family holed up in a cabin deep in the Selkirk Mountains on Ruby Ridge, situated near Naples, Idaho, some forty miles south of the Canadian border. There in the remote cabin, located three miles from the nearest paved road and lacking electricity or running water, Weaver lived with his wife, Vicki; his son; daughters Sara, sixteen, Rachael, ten, and Elisheba, ten months; and Kevin Harris, a family friend.

Sammy died while trying to run away

Jerry Seper is an investigative reporter for the Washington Times.



THE STANDOFF
Chuck Hogan
New York: Doubleday, 1995
301 pp., $23.50

from a camouflaged reconnaissance team of six U.S. marshals secreted in the trees along a trail near the cabin. The marshals had killed Sammy's dog, a golden retriever named Striker, after they had lured it to their hiding place. Hearing the shots, Randall Weaver shouted for his son to make a run for the cabin. At that point a U.S. marshal opened fire on the boy with his automatic weapon. He was shot first in the arm, a blast near the elbow that nearly tore his arm off, and then in the back.

During the frenzy of gunfire that erupted after the boy was hit, Deputy U.S. Marshal William Degan—a weapons and tactics expert, husband and father—also was shot to death. The standoff ended after eleven days, when Weaver surrendered. This was after his wife had lain dead in their cabin for eight days. She had been fatally shot by an FBI sniper the day after Sammy and Marshal Degan were killed, hit as she stood in the doorway of her cabin holding her ten-month-old daughter.

Facts vs. fiction

That, generally, is the essence of what became known as the standoff at Ruby Ridge: three deaths, a family destroyed, a community in uproar. Federal law enforcement authorities and their agencies were challenged over their actions at the site, from the Bureau of Alcohol, Tobacco, and Firearms and the U.S. Marshals Service to the FBI. Suspensions. Demotions. Transfers. Certainly, no winners. A tragedy ended but, nonetheless, compounded.

That also is the essence, of sorts, of a new novel by first-time writer Chuck Hogan, who until his novel sold was a 26-year-old assistant manager at a Boston-area video store. Simply titled *The Standoff*, it is the fictional telling of a nine-day confrontation between federal law enforcement authorities—the U.S. Marshals Service and the FBI—and a white supremacist who has barricaded himself, his wife, and their five children in a secluded cabin on top of a Montana mountain.

The setting is called Paradise Ridge, and Hogan's fictional family—also about to be destroyed—is headed by Glenn Allen Ables. Like Randall Weaver, Ables believes in his own God, his own ways, his own family, and, with considerable justification, he doesn't trust the federal government. Unlike Weaver, Ables is a white supremacist and hates blacks.

At this point I should tell you I was frustrated by this book, not because of its writing—the story is brilliantly laid out and carefully delivered—or by its character development, all of which has considerable life and vigor. This is a credible attempt to document with precision the inner workings, language, and sometimes panicky feelings of federal law enforcement authorities trapped in a life-threatening situation.

It is a compelling and captivating novel. Hogan, as a novice writer, has crafted characters with vivid detail, individuals you can like a lot or dislike even more—but certainly ones you can understand. The conversations are crisp, to the point, and, more important, interesting, poignant, sometimes downright funny, and often pockmarked with obscenities you would likely hear at this kind of tension-filled site.

And Hogan has done his homework. His recounting of a fictional nine-day confrontation between federal authorities, led by Special Agent John T. Banish, the veteran FBI negotiator, and Ables, a man twisted by his beliefs and hatred of the federal government, is precise with regard to tactics, equipment, and procedures. Hogan, currently at work adapting the novel as a screenplay for New Line Cinema, has captured with some gusto the ongoing and often devastating turf battles that exist among federal, state, and local

law enforcement authorities.

Still there are nagging problems, few of which will be of consequence to those looking solely for a fast-paced, well-written, and explosive book for an evening or two of solid entertainment—surprise ending and all. But those who know about the Randall Weaver case, about Ruby Ridge, the real site of a siege that cost both the Weaver family and the federal government dearly, may have some concerns.

The book is frustrating because there seems to be little need to so drastically change the key player, Randall Weaver, who legitimately was a victim of the system, a man who cared deeply about his family and friends, to a maniacal, Bible-spouting father of five who seemingly has little regard for his family, his friends, or himself. In the end, Ables bears no resemblance to Weaver as he tries to escape single-handedly from the collapsing perimeter of Paradise Ridge.

ILLUSTRATION BY MARCIA KLIOZE HUGHES / THE WORLD & I

Court records, grand jury transcripts, interviews with the dozens of people involved in the Ruby Ridge standoff, and a review of the reports that have been issued since the siege ended would have been fodder enough for a compelling, hard-hitting book on what really happened. A work of nonfiction would have screamed volumes about a justice system that tried, unsuccessfully, to deal with the Weavers and would have raised legitimate concerns about an ever-growing erosion of public confidence in federal law enforcement agencies.

Weaver's surrender was arranged by former Green Beret Lt. Col. James "Bo" Gritz, who helped negotiate an end to the standoff after being allowed into the cabin by the FBI and Weaver. Gritz said Weaver was persuaded to give up by a FBI promise of safe transit and a letter signed by supporters saying Weaver's fight was "in a courtroom, not up on top of that mountain."

Colonel Gritz said after Weaver decided to surrender, he "cried his wife's name, he cried his son's name, and then we just marched down the road like we said we were going to do."

Like the death of the fictional twelve-year-old Judith Ables in the Hogan novel, it was the death of thirteen-year-old Samuel Weaver that rallied many real-life supporters in the Idaho panhandle, some of whom stood daily vigils at the bottom of Ruby Ridge as the standoff continued. Many taunted federal authorities. Some carried placards reading "Justice and Freedom for ALL."

In July 1993, a federal jury in Boise acquitted Weaver, forty-five, and Harris, twenty-five, in the Degan murder. An eight-woman, four-man jury, after a twelve-week trial and deliberations that lasted twenty days, said the two men—including Harris, who admitted shooting the veteran marshal—had acted in self-defense. The jury also rejected as untrue a government charge that the two men had conspired for nine years to provoke a confrontation with federal officers.

Weaver, a former Green Beret, was convicted of two lesser offenses, failing to appear for trial on weapons charges and committing an offense while on release from a federal court, and was sentenced to eighteen months in prison. He was released in December 1993 and returned—with what was left of his family—to his native Iowa.

Samuel Weaver, Vicki Weaver, and William Degan died during a government attempt to arrest Weaver on a fugitive warrant. Weaver had failed to show up for a February 1991 court hearing on a charge that in October 1989 he sold two sawed-off shotguns for $300 to Kenneth Fadley, a paid undercover informant for the Bureau of Alcohol, Tobacco, and Firearms. Court records show Fadley, who went by the alias of Gus Magisono, persuaded Weaver, after some initial resistance, to cut the barrels a quarter-inch short of the sixteen-inch legal restriction.

ATF agents later asked Weaver to be an informant after observing him and some of his family members at a meeting of the Aryan Nations, a white supremacist organization in the Idaho panhandle. Court records show that the agents threatened to arrest him on weapons charges—the sale of the two shotguns—if he refused. Weaver turned them down, and in December 1990 he was indicted on a charge of manufacturing, possessing, and selling illegal firearms.

Scheduled to appear in court on February 19, 1991, Weaver refused to show, saying he could not trust the government. That refusal set off a government surveillance of the Weaver cabin that lasted for eighteen months and included videotapes and reconnaissance missions. It erupted into gunfire and a standoff on August 21, 1992, when Sammy and Degan were shot. Court records show that Weaver, Harris, and Sammy had never fired at any federal agents prior to the reconnaissance mission. Federal authorities testified they never considered knocking on the cabin door to serve Weaver the arrest warrant.

During the trial, Deputy Marshals Lawrence Cooper and Art Roderick, both members of the six-man reconnaissance team, said they were hiding in the brush as Sammy, who was carrying a mini-14 rifle, and Harris, with a .30-06 hunting rifle, approached, chasing the dog. They said Degan rose from his hiding spot and ordered the pair to halt. Cooper, who was next to Degan, said he then stood up and repeated the same command, and as he did, "Kevin Harris turned and fired." He said the shot hit Degan in the chest.

The two marshals said Harris had fired first and they returned fire only in self-defense, accidentally killing the boy. But Deputy Marshal Frank Norris, also a team member, contradicted that testimony during his appearance in court. He said the first shots he heard were "the distinctive sound of a .223," the type of firearm used by the marshals, not the loud report of the .30-06 carried by Harris. Idaho State Police Capt. David Neale also testified that Roderick had said that he had fired first, hitting the dog.

Government persecution

What exactly happened on Ruby Ridge the day Sammy and Degan were killed is not totally clear. What is clear, however, is that the jury did not believe the marshals had acted in self-defense. It is also apparent that many jurors were disturbed that federal agents—including the FBI, the Marshals Service, and the ATF—seemed bent on what they said was an all-out effort to persecute people who held unorthodox beliefs.

"I think they built their whole scenario out of how they perceived someone else should be living their lives, and if someone believed differently from how [federal authorities] lived their lives, they must be

abnormal," juror Janet Schmierer said after the trial. Schmierer said that, although federal authorities believed Weaver was motivated by a paranoid hatred of the government, "They couldn't see that they themselves were paranoid about him."

The FBI was called to Ruby Ridge after Degan was killed, taking control of the area from the U.S. Marshals Service, which had assumed control from the Bureau of Alcohol, Tobacco, and Firearms. Court records show, however, that many of the FBI's resulting actions were based on false and misleading information from deputy marshals at the scene.

Court testimony and grand jury transcripts show that, based on the marshals' information, the FBI decided to use deadly force, killing the unarmed 42-year-old woman at the front door of her home. The FBI later described the killing as accidental. Mrs. Weaver died instantly when the sniper's bullet slammed through her face, went through her mouth and tongue, blew through her jawbone, and cut her carotid artery.

According to the court records, the marshals never told the FBI that Sammy had been killed by a deputy marshal during the same incident in which Degan died. An FBI reconnaissance team later discovered the boy's body in an outbuilding and, according to the records, assumed he had been killed by members of his own family. One agent testified that he thought, "My God, the Weavers are killing their own children." Even after the body was found, marshals at the scene never acknowledged responsibility.

The records also show the marshals told the FBI during their initial call for help that reconnaissance team members had been ambushed by Weaver and the team was "pinned down in a firefight." Records show Weaver was not at the site when gunfire erupted or when Degan was killed. There is no information to show that the marshals were ever pinned down. Records show that, during the so-called firefight, Weaver, his wife, and Harris had walked to the site to retrieve Samuel's body to prepare it for burial.

All the above incidents and concerns can be found in one form or another in this 300-page book. Hogan tells the story of Paradise Ridge, complete with the killing of twelve-year-old Judith Ables and Deputy U.S. Marshal Bascombe during a firefight on a trail outside the cabin; questions whether the weapons violations against Ables were legitimate; and documents controversy over the ATF's efforts to force Ables to testify. Even the FBI's grisly discovery of Judith Ables' body in an outbuilding near the Ables cabin is outlined in vivid detail.

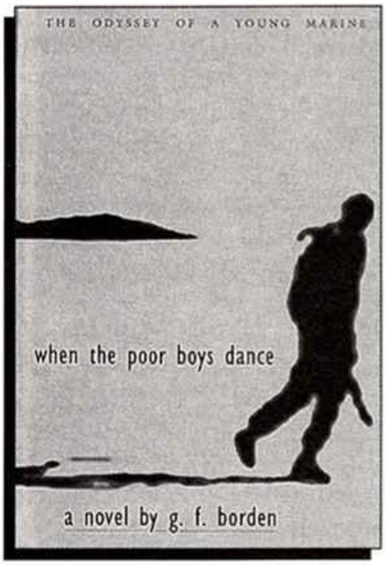
A straight telling of the harrowing account of Ruby Ridge would have been more satisfying to me, but individual preferences aside, this is a book well worth your time, money, and attention. The main character, Agent Banish, is the backbone of the novel, and he is strong enough to hold the story together. You will identify with his predicament and his efforts at making things right.

Did I say Banish? That is one minor annoyance, the cutesy nature of the names Hogan assigns to the novel's key players: John T. Banish, the veteran FBI agent called in to head the standoff after an earlier screwup and exile to a one-man FBI field office; Reginald Pushard, the not-to-be trusted No. 2 agent at the site, always looking to take advantage of others' mistakes and move himself up the chain of command; Frank Spona, the head of the FBI's public affairs office, who dishes out information—Spona, get it?—to the media; and FBI Agent Mary Grace Coyle, a real snake in the grass assigned to spy on Banish.

But getting through that gag is well worth the effort, as is the surprise ending—actually, three surprises so quickly spaced and dramatically told that you will need to hold tightly to your Spona. ■

Always Faithful?

A novel takes a gritty look at tradition and change in the Marine Corps.



WHEN THE POOR BOYS DANCE
G.F. Borden
Novato, Calif.: Lyford Books, 1995
235 pp., $21.95

BRIAN McCOMBIE

One of the Marine Corps' most hallowed traditions requires that no Marine be left behind, including those who have died in combat. Marines have gone to great and heroic lengths to save a living comrade or retrieve the body of a fallen one. And, yet, there must be times when Marines are left behind, in the chaos and confusion of war, or by accident during peacetime.

It is this abandonment, both literal and as metaphor, that is the centerpiece of G.F. Borden's superb novel about the Marine Corps, *When the Poor Boys Dance*. The book opens in California's Mojave Desert, where an unnamed lance corporal has been forgotten by his fellow Marines. The evening before, as a training exercise was ending, the lance corporal was ordered off his truck, given a light, and told to signal the way for other vehicles. But, as the morning sun begins to blaze, the lance corporal realizes that no one is going to return for him.

The lance corporal's predicament is severe. He's twenty miles from his base

Brian McCombie is a free-lance writer whose reviews regularly appear in Booklist *and* Kirkus Reviews.

(Twenty-nine Palms) and carries only a half-canteen of water. To stay in place and wait for help to arrive would be, he decides, suicidal. Believing that he can't count on anyone but himself, he begins his trek back to the base.

As he marches across the searing desert, the lance corporal begins to have imaginary conversations with two of his former sergeants: Kline, his survival training instructor, and Quinlan, his drill instructor from Parris Island. With the sergeants' aid, he's able to remember all those things he was taught about preserving that "small ocean [of water] inside" of himself. He drinks sparingly from his canteen and shades his body as best he can.

But the lance corporal soon becomes dehydrated, sunburned, and blistered. He tries to focus on the correct procedure for marching out of a vast expanse devoid of landmarks—finding his heading with his compass, walking five hundred paces, rechecking his heading, then walking—but even with Kline and Quinlan alternately coaxing and haranguing, the lance corporal's thoughts wander.

A mind's eye

The lance corporal begins to hallucinate, but not of oases and pools of water. Instead, with the aid of Borden's skillful shifting of time and place, he enters the consciousness of Marines from the past.

Though he's trudging through the Mojave, his mind takes him to World War I's Belleau Wood. It's night, and he finds himself marching toward the front with his fellow Marines. Ahead lies their first action of the war. As dawn breaks, he sees the torn bodies of French soldiers who fought here the day before. After much anticipation, the Germans are finally engaged, and he experiences the visceral horror of killing men and seeing his comrades die, until he himself is severely wounded. He lies on the forest floor, listening to the battle rage. A sergeant assures him that his wounds aren't so bad, but the Marine knows he'll soon be dead.

The lance corporal's next journey is into World War II and the assault on Tarawa atoll in the South Pacific. The central figure is a Marine lieutenant. Before the attack, he questions his captain about the battle plans. A veteran of Guadalcanal, he knows that combat rarely goes as it's drawn up. Is the Navy sure, he asks, that the tides will be high enough? High enough to allow the landing craft to get onto the beaches and not be stuck out at sea? Will there be sufficient naval gun bombardment and air cover? Is the chain of command well-coordinated enough to respond to changes?

" 'We're going to walk in,' " the captain blithely answers. But once on Tarawa, trapped behind a seawall and watching his men being wiped out, the lieutenant knows that his fears were correct. The low tides strand the amphibious assault craft many yards away from the beach, and the men have to wade through deep water—easy targets for Japanese fire. The naval gunfire that preceded the attack inflicted little damage on the Japanese, and, now, air cover is sporadic. The radios don't work. And so the lieutenant and what remains of two platoons are forced to go it alone, to battle through a maze of interlocking Japanese bunkers and trenches, in "warfare at its most elemental, [with] no art or science about it."

Back in the desert, the lance corporal is beginning to despair: He can barely walk now. But even as he stumbles and falls, he continues to slip into the minds of other Marines, to be with them during their battles. He relives the retreat from the Chosen Reservoir during the Korean War (probably the worst defeat in Marine Corps history), the aftermath of an ambush in Vietnam, the overrunning of the U.S. Embassy in Tehran,

the bombing of the Marine barracks in Beirut (where over 220 Marines died), and the chaos of the recent U.S. mission to Somalia. And, as the lance corporal marches through Marine history, the negligence of those in command, first viewed at Tarawa, increases.

In harm's way

Borden is too savvy a student of history to suggest that Marines die in war solely because of incompetent leadership. Wars are designed to kill people, and even the most thoroughly conceived plan can't change this fact.

Yet, there exists a level of human waste in *When the Poor Boys Dance* that seems to go beyond the dictates of war. Indeed, it isn't war that threatens the lance corporal's life. He was ordered out of his truck by his commanding officer, even though a sergeant "questioned the lieutenant's order: he [the sergeant] knew two men were required to be posted together" for reasons of safety. But the sergeant was overruled, placing the lance corporal in unnecessary danger. Apparently, no roll call is taken, a standard procedure that would have alerted the lance corporal's superiors to his absence.

The episodes in Somalia and Beirut give the starkest examples of a Marine Corps that is endangering its own people. Despite individual stamina and courage, the corps seems to have gone soft, and the fault isn't entirely its own. The Marines have been made "peacekeepers." A veteran sergeant tells a major, as the two stand amid the rubble of the Beirut barracks, that the new corps is " 'modern, computerized, jogging-shoe shod, cerebral, thin, aerobic, and caring.' " Everything, it seems, but hard-nosed fighters.

The Marines in Beirut were sent in as a buffer between the Israelis and Syrians, but they were completely open to attack, a point Borden's major understood all too well, before the bombing. Quartered aboveground, in an indefensible position, the Marines were sleeping when a suicide bomber drove a truck full of explosives right through the gate and into the front of the building. And the "peacekeepers" on guard didn't even have bullets in their weapons.

The Somalia episode is the most vivid and heartbreaking of all. An undermanned and undergunned Marine unit in Mogadishu is sent out to find an overdue patrol. The squad's captain requests support from helicopter gunships, artillery, or mortars. He's refused, because, his superiors tell him, " 'We're not fighting a war here, Captain. . . . We . . . are here to assist these people. . . . That's the mission.' " When the captain and his men are later threatened by an armed mob, his commanding officer repeatedly tells him to hold his fire. In an attempt to save his command, he violates these orders.

What the Marines in Somalia have to rely on is exactly what the lance corporal realizes early in his ordeal: "I am tied to this place and I am required to struggle against that which I must endure." They must count upon themselves, because the generals and the politicians don't always operate in a Marine's best interest. And if a Marine fails, if he's beaten by an enemy, a hostile environment, or poor orders, he needs this inner strength all the more. Sometimes, he must find it in the memory of those Marines who came before.

Borden is an expert storyteller, and his combat scenes are wrenching. (The prolonged tension in the Somalia episode gave this reviewer an actual stomachache.) The ending is surprisingly touching, and it points again to the very human core of *When the Poor Boys Dance*. Borden has created a fictional landscape where no act is so profound as finding the heart to take just one more step forward. ■

Death Triumphant?

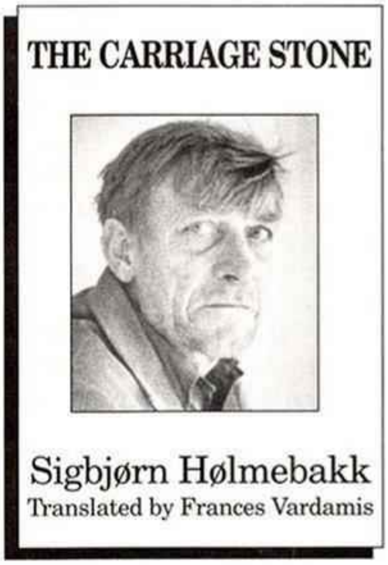
Overcoming the fear of death is the first step on the road to happiness for this Norwegian novelist.

MARTINUS ARNOUD BAKKER

“The truth, the only truth, for me and for everyone else, is that which is going to happen to me tonight.” These words, spoken by the war criminal Lars on the eve of his execution, sum up the philosophy given literary form in Sigbjørn Hølmebakk's novel *The Carriage Stone*.

The title refers to a stone placed in the curve of a country road near the Norwegian village of Aana, indicating where two men had driven off a cliff in a carriage. Having passed hours in a bar getting drunk, one of them said, “Now we'll drive straight to hell.” They had, in essence, willfully chosen death over life. Thus, the stone symbolizes the moment of decision: Is life really preferable to death?

Not necessarily, says Hølmebakk, because the traditional ideals, dreams, and expectations that are supposed to inspire us with hope for a better world are founded on illusion and self-deceit. This is the conclusion



THE CARRIAGE STONE
Sigbjørn Hølmebakk
Chester Springs, Pa.: Dufour, 1995
192 pp., $25.00

Martinus Arnoud Bakker teaches Dutch literature at Calvin College in Grand Rapids, Michigan.

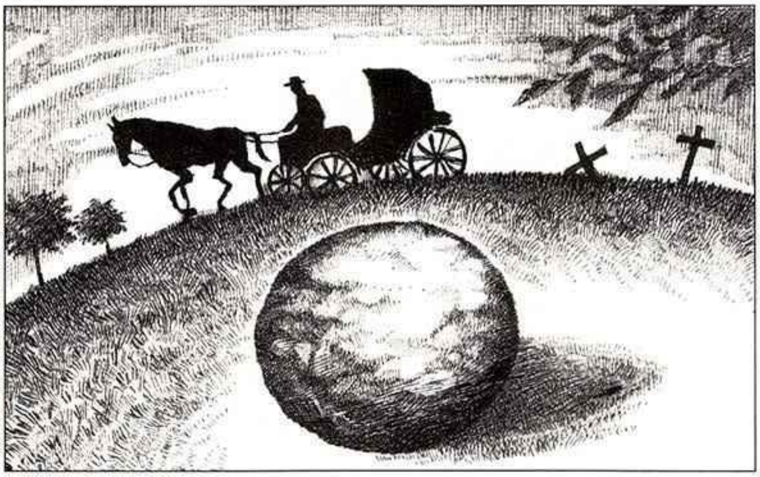


ILLUSTRATION BY EMIKO OZAKI / THE WORLD & I

of the novel's two central characters as they approach the twilight of their lives. One of them, Eilif Grotteland, after a series of devastating but still "normal" experiences, confesses: "When I think about my life, I realize that everything was poisoned by my fear of death. It killed every chance for happiness and made me, myself, evil. . . . I only know that now death has given meaning to my life. Oh God, I am happy again!"

Eilif, a Lutheran minister, and his friend Olav Klungland, a communist activist and writer, are at opposite ends of the sociopolitical spectrum. But in many respects they are very similar and could be said to represent a cross section of humanity. They are united in their hope for and belief in a better world. Each is committed to his respective cause: the Christian faith in Eilif's case and the perfect communist society in Olav's. They are also both loyal, loving husbands who serve their families, country, and professions honorably. But each has reached a crisis and now finds his existence void of purpose or meaning. Each consequently questions the significance of the things he has fought for all his life.

Eilif asks for and receives permission to be relieved of his pastoral duties. The authorities gladly grant it, for they have noticed that he is finding it difficult to kneel and pray in public. After learning all the sordid details of the Grottelands' fight against death and misery, Olav decides to detach himself from party interests and write the novel he has always wanted to write. Where a sense of reality had been missing, he now draws on the Grottelands' grave experiences. That and the feeling of being betrayed and used by the younger generation of communists spur him on.

Death is everywhere

Although the novel's events are presented in a very natural and convincing manner (much appears to be autobiographical), everything revolves around the theme of death in its many gruesome aspects. All the characters are portrayed in their relation to death in some form: Cancer, drug overdoses, insanity, drowning, torture, and murder dominate the novel and determine the life course of each character.

The two men meet when Eilif visits his wife, Elna, in the Radium Hospital, where Olav has just paid an obligatory visit to a dying fellow party member. Elna asks for a signed copy of Olav's latest book, for reasons that are at first mysterious. Later it is understood that Olav's books unwittingly express an unusual interest in matters relating to death but in a manner that is especially encouraging to the dying.

Still, Olav has felt that something was

missing in his books, something he could not readily identify. That quality, that force of reality, is now available after exhaustive conversations with Eilif concerning the Grottelands' life-and-death struggles. At first, Olav doesn't understand: "He didn't know. What was it, in fact, that he wanted to learn? Why did this man continue to so occupy his thoughts that he forgot the speech he was supposed to deliver and the novel he was supposed to finish?" The answer has taken half a lifetime to discover: He needs the material found only in real life:

> Now he knew them; now he could use their own voice. . . . In the earlier version [of his novel, the characters] were contrived, artificial, fabricated. . . . While he wrote he felt a remarkable sense of power, of mastery over fate, as if he were lord of life and death.

So, while Olav needs the Grottelands and their lamentable lives as material for his novel, they need him to witness and record their experiences.

Evil personified

Eilif experiences death tangibly, actually following Elna down to the "final rung of the ladder" to her death. Still, he does not understand the meaning of suffering and the part played by death in life until the very agent of death, evil personified in his older brother Lars, demonstrates it all to him.

Lars Grotteland is not like other people. He seems to have a mysterious power over others. Throughout his life, everybody was afraid of him and did as he demanded. As a boy, Lars bullied Eilif by frequently boxing his ears or beating him with a stick so severely that he could not sit for days. Neither Eilif nor anybody else ever dared protest. This sadism took a much more serious form as Lars grew up and eventually joined the Nazis.

As a Nazi, Lars performed unbelievable acts of terror, preferably on his own townsfolk. For this he is executed but not before he deals Eilif the ultimate blow. Moments before being executed he reveals how, as "punishment," he had seduced Elna some years earlier. As if this were not enough, he also reveals that Lilian, the daughter whom Eilif dearly loved and always thought his own, was not. This evil had hastened Elna's death and caused Lilian to succumb to drugs.

He performs all these acts out of principle, believing that killing people is his mission, that peace will only come to the world when there are no more people to witness it. He compares people, particularly his mother, to ugly knots in trees or, worse, to cancer cells.

Lars therefore matter-of-factly accepts the unavoidable result of his actions. Minutes before his execution, he declines words of comfort from Eilif. He even refuses a cigarette, saying, "I don't need a sedative." For him, death is the only truth. As he tells Eilif,

> "Only when one realizes the consequences of that, can one overcome that which you call suffering. The suffering of this world can only be overcome when there is no longer anyone who can experience it. [Then the] waves will roll in from the sea and the gulls will shriek in the wind—and no one will hear them. The tides will roll out again, and no generations will follow. That is what I have been doing—bringing things back to where they should be, to the silence. It has just begun. Someday it will be all still."

In contrast to this "real" world where Lars rules as lord of life and death, Hølmebakk depicts another realm: the idyllic world of Didrik, the good shepherd and church-bell ringer. In the small room behind the organ,

right under the steeple, Eilif finds "profound peace." The farm is also a haven of rest where Eilif and Elna achieve complete happiness for a time. But Didrik, too, has to experience the pain of death, losing his wife and daughter to Spanish influenza before he finds peace. He finds it in the graveyard, sitting on a rock and smoking his pipe, or while clearing the graves of weeds.

Didrik is loved and respected by everyone for discovering the ultimate truth, that "life is good only as long as things go well." But, in this world, circumstances never go well all the time. What appears to be an oasis often turns out to be only a mirage. This illusory quality applies to events on the farm and around the church, which soon prove to have been "all exultation and celebration." "Did I really believe that?" Eilif asks himself and Olav. "Or did I, even then, realize that it was only illusion, fantasy?"

Everything in Eilif's life seems to indicate a positive answer. Paradoxically (or predictably?), the war years were the happiest of Eilif and Elna's lives. To Eilif, this is not surprising:

> "Is it not true that when we fight an enemy, when we are filled with hatred, and when our passions flare up, only then does life have meaning? Don't human beings then reach their full potential and become selfless, proud, and often filled with an inexplicable courage?"

Sunshine is darkness

Truth is often revealed to the aged, who stare death in the face, or the insane. This is the case with Eilif's father, who, after years of suffering from unbearable headaches, becomes deranged. Ironically, his mental crisis occurs during a sermon on "the golden sun breaking through," when he has an "illumination." He tells the congregation that the minister's message is entirely wrong: "Was it correct to say that the sun was light, when sunshine was known to be dark? . . . Even scientists were clear about that. Why hide the truth when, sooner or later, it would come out?" Eilif's father is immediately placed in an asylum, where he lives a healthy, happy life.

Where people struggle, animals are instinctively gifted to understand the vicissitudes of life and death. Eilif learns this lesson one morning as he watches a bird through his office window. It has been flitting around a plum tree, "intoxicated with springtime," when suddenly a stalking cat attempts to pounce on it. The cat misses this time, and the bird simply whirls in the air and, "totally unaffected and unperturbed," lands where it had perched before.

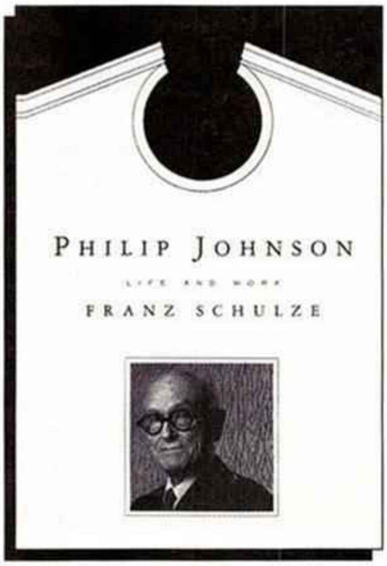
This is how we should live, Hølmebakk seems to say. Life without death is a dream or illusion. Moreover, we need death to be happy. Death should thus be viewed as a positive factor, happiness, as such, as a negative one, something to be avoided. Eilif says as much when he asks, "How shall they [people] find relief from gladness when there is no more human suffering? Will happiness become something cloying, unbearable? Can human beings live without gratitude? And can human suffering truly be overcome?"

Eilif's narrative fills two-thirds of *The Carriage Stone*, the rest being Olav's interpretation of it. Together, their story "proves" that security derived from anything other than death is an illusion or dream. This is revealed to Olav as the plane in which he is flying rises into the darkness. Fastening his gaze on a cloud in the pale sky, Olav whispers, "Take not this restlessness from me," formulating a belief of sorts that is also certainly Hølmebakk's, as expressed in this remarkable novel.■

Working for the Devil

The life and work of the world's most famous living architect show how far wealth, talent, and cynicism can carry a man.

CYNTHIA BAKER



PHILIP JOHNSON
Life and Work
Franz Schulze
New York: Knopf, 1994
465 pp., $30.00

Philip Johnson, internationally celebrated architect, is an icon of his age. Now eighty-nine, still working, still vital, still newsworthy, Johnson is a kind of living demonstration of how far wealth, talent, and cynicism can carry a man.

"I'd work for the devil himself," Johnson said in an interview published in 1973, when he was sixty-seven, an age when many men have already retired. Two years after that, Robert Schuller, a popular television evangelist with a congregation of two or three million viewers, asked Johnson's then-partner John Burgee if he could have a good spiritual relationship with the famed architect. Burgee allowed that it was indeed possible. The result was the Crystal Cathedral in Garden Grove, California, a stunning glass building from which Schuller telecasts his services, such as the *Hour of Power*.

In 1990 Johnson built a bell tower as an

Cynthia Baker is a longtime writer on arts and architecture.

addition to the cathedral. He appeared on television standing in the building and explained in a very low voice, "I could not have done this—I got help, my friends, I think you all [his voice breaking] know where that help came from." Later, when queried about this incident, Johnson hid his head in his hands in make-believe shame. "Wasn't that *awful*!" he grinned impishly. He added, by way of explanation, "I wanted to do the job. I got very religious."

It is a testimonial to Johnson's personal charm and manipulative skills that he has managed to adroitly sweep behind him a period of his life that surely would have condemned most men to ignominy and obscurity. In the late twenties and early thirties, as a wealthy young American from Cleveland, Ohio, he spent time in Germany, both studying and being enthusiastically swept up in the very open homosexual life of those days. In his admirable if perhaps a touch too indulgent biography, Franz Schulze notes that Johnson loved Germany: "Besides, Hitler and the Nazis had color; the Communists were grey, doctrinaire. There was dash to these Nazis; the way they dressed and sang and marched and fought; their impudence, their bravado, the sexuality Philip could not help but project on them." Moreover, Johnson found "all those blond boys in black leather" most attractive.

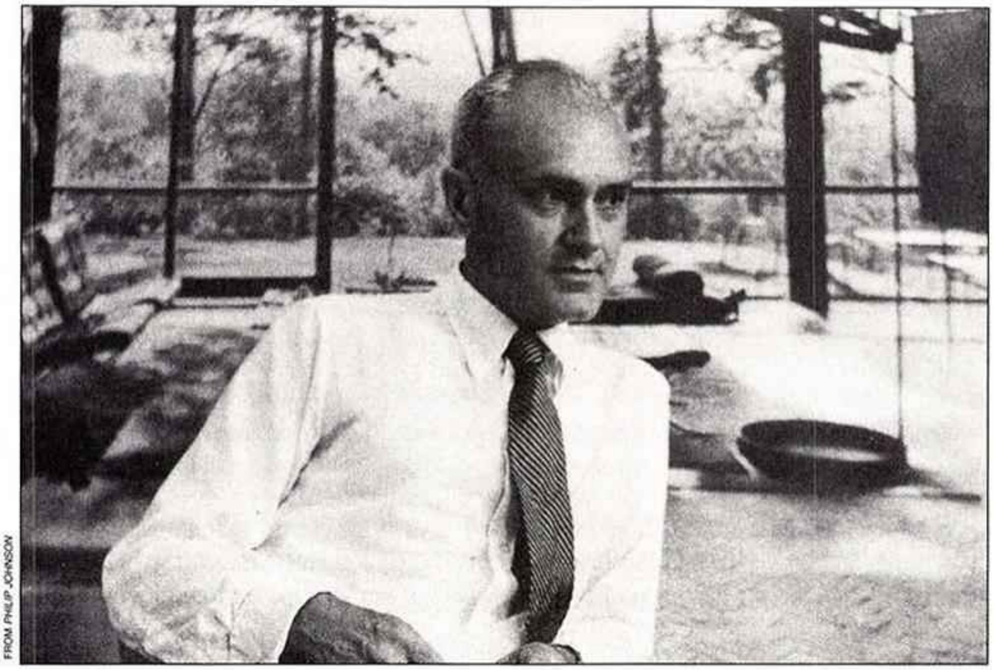
On a prewar trip through Poland in the summer of 1939 in his big, luxurious Lincoln Zephyr, he chanced to drive through a shtetl—Markow—and the townsfolk, who had never seen such a grand vehicle before, crowded around to exclaim and touch the car. Johnson was terrified. "At first," he said, "I didn't know who they were except that they looked so disconcerting, so totally foreign. They were a different breed of humanity, flitting about like locusts. Soon enough I realized they were Jews, with their long black coats, everyone in black and their yarmulkes."

A few weeks later Hitler's army marched into Poland, and the German Propaganda Ministry formally invited Johnson to follow the Wehrmacht to the front. He had Father Coughlin to thank for this. Father Charles Coughlin was a violently anti-Semitic, anti-F.D. Roosevelt American priest who published a weekly newssheet and made radio broadcasts expressing his virulent opinions. Johnson, at Coughlin's request, sent back five dispatches reporting on the European situation for publication in Coughlin's *Social Justice*.

In the fall of 1939, Johnson wrote to a friend who had accompanied him on the earlier trip. "Do you remember Markow?" he asked. "I went through the same square where we got gas and it was unrecognizable. The German uniforms made the place look gay and happy. There were not many Jews to be seen. We saw Warsaw burn and Modlin being bombed. It was a stirring spectacle."

Until the late 1980s, most accounts of Johnson's life and career passed quickly over the period 1934–1940. People who like him or whose interest in his very real achievements is primarily professional have tended not to comment on the subject. Some ranged themselves in the camp of Abby Aldrich Rockefeller, one of the founders of the Museum of Modern Art, who is reported to have said that "every young man should be allowed to make one big mistake." In 1973 Johnson was quoted as saying, "Of course, Hitler was a terrible disappointment, putting aside the social problem." It is well to remember, after all, that the young man in question was thirty-three by the time he found the spectacle of Warsaw burning so stirring.

By the time his enthusiasm for things Nazi had been brought to light again, more than half a century had passed. The fact that during those fifty-odd years Johnson had acquired so much power in the architectural



■ **Philip Johnson, with photograph of the Glass House in the background, early 1950s.**

profession and at the Museum of Modern Art discouraged people from bringing up the matter. Unlike Martin Heidegger, Paul de Man, and T.S. Eliot, charged in the late 1980s, with much fanfare, with anti-Semitic or fascist sympathies, Johnson was very much alive. Moreover, he had become especially skilled at calling attention to his many later activities, such as his close working with Jewish colleagues and his work on behalf of causes identified with Judaism. All this could be reasonably considered as something like atonement.

Indeed, on the occasion of the publication of this biography, Johnson appeared on the Charlie Rose television program—very alert, very bright, ironic, and witty. When Rose questioned him about those old sympathies, Johnson put on a grave demeanor, faintly shook his head, and referred to it all as having been being unconscionable on his part and a cause for shame. Within a few minutes, he was lightheartedly bantering with Rose.

According to his biographer, Johnson, who was much drawn to Nietzsche's moral philosophy all his life, retained no passage more faithfully than Nietzsche's elevation of the question *Was ist vornehm?* (What is noble, refined, elegant, of high rank?) above the question *Was ist gut?*. For Johnson, morality was bound up with superiority and inferiority rather than right or wrong.

Schulze puts it succinctly:

> Philip's politics were driven as much by an unconquerable esthetic impulse as by fascist philosophy or playboy adventurism—just as he himself was an esthete now and forever more, in the arts or out of them. Art was more trustworthy than science or metaphysics, since in its capacity to persuade, it did not need to prove, and proof, in any case, was unattainable by the mind.

In 1940 Johnson returned to Harvard, where he had studied as an undergraduate, entering the school of architecture. For his final thesis he submitted a completed house, a dwelling that he had built for himself, in which he had lived as a student (a cook came in daily). This way, he was able to avoid presenting architectural drawings, a skill at which he had never been good; even as a student he employed draftsmen for this kind of work. (A former classmate observed, "This guy Johnson must be made of money, for he spends it like a drunken sailor.")

In March 1943, a few months short of his thirty-seventh birthday, Johnson was drafted into the U.S. Army. In view of wartime exigencies and particularly because of the valedictorian award he had recently won from the Graduate School of Design, Harvard decided he had satisfactorily completed the requirements for a bachelor of architecture degree, which was awarded him in May. His Army career was limited to a year and a half as a buck private, with most of his time spent cleaning latrines and kitchens. Johnson briefly had hopes of becoming a commissioned officer, but his FBI file and political record blocked any hopes of his entering officer candidate school.

In a single year, 1945, Johnson moved from relative obscurity to the center of the American cultural stage, where he has remained to this day. He opened a one-man office to practice as an architect and reestablished himself as the de facto head of the Department of Architecture at the Museum of Modern Art. The following year he bought five acres of land in New Canaan, Connecticut, where for the next three years he would build the Glass House, known throughout the world as one of the most famous residences of the twentieth century. The house is of a rare simplicity, consisting of a floor, a roof, and four walls of floor-to-ceiling glass, held together by steel piers at its corners and two more on each of the long sides, all of them framing the glass. Inside, a cylindrical volume of brick, located close to the northeast corner, contains a bathroom on one side and a fireplace on the other.

Writing about his house in the September 1950 issue of *Architectural Review*, Johnson paid tribute to several sources of inspiration, among them, Mies van der Rohe's Farnsworth House. According to Johnson, the "cubic form of my glass house and the separation of functional units into two absolute shapes" came directly from Ledoux, the eighteenth-century father of modern architecture. One formal attribution and another, more peculiar and personal, were given regarding the principal solid form of the interior, the brick cylinder (in his words, "the main motif of the house"). In plan, it read like a circle, taken he said, from a Suprematist painting by Kazimir Malevich. In elevation, however, it reminded him, astonishingly, of "a burnt wooden village I saw once where nothing was left but foundations and chimneys of brick." To what could he have been referring but memories of those burned Polish villages he had viewed a decade earlier in the company of Hitler's army?

In 1978, when Johnson was featured on the cover of *Time* magazine, holding the model of his famous AT&T building with its broken pediment at the top, he was universally viewed as having built the first postmodern skyscraper. He then seemed to be the world's most famous living architect and brought many architects over to the concept of modernism. But how well, apart from the awards, medals, and possibly transient glory, does his work stand up? Increasingly, architectural historians are becoming critical of his many structures. Perhaps his most memorable work will remain the Glass House, with its damning inspiration of that charred Polish village. ■

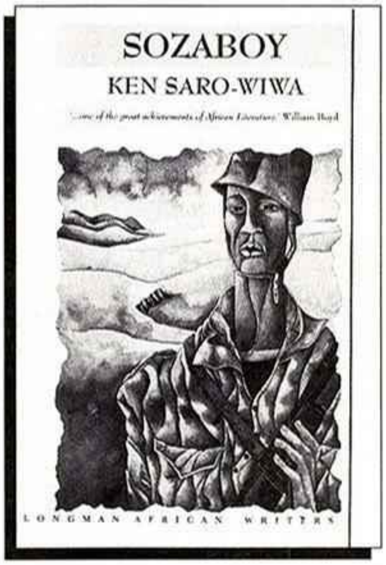
A Shell-shocked Land

A Nigerian novelist draws attention to the plight of his Ogoni people.

CHARLES R. LARSON

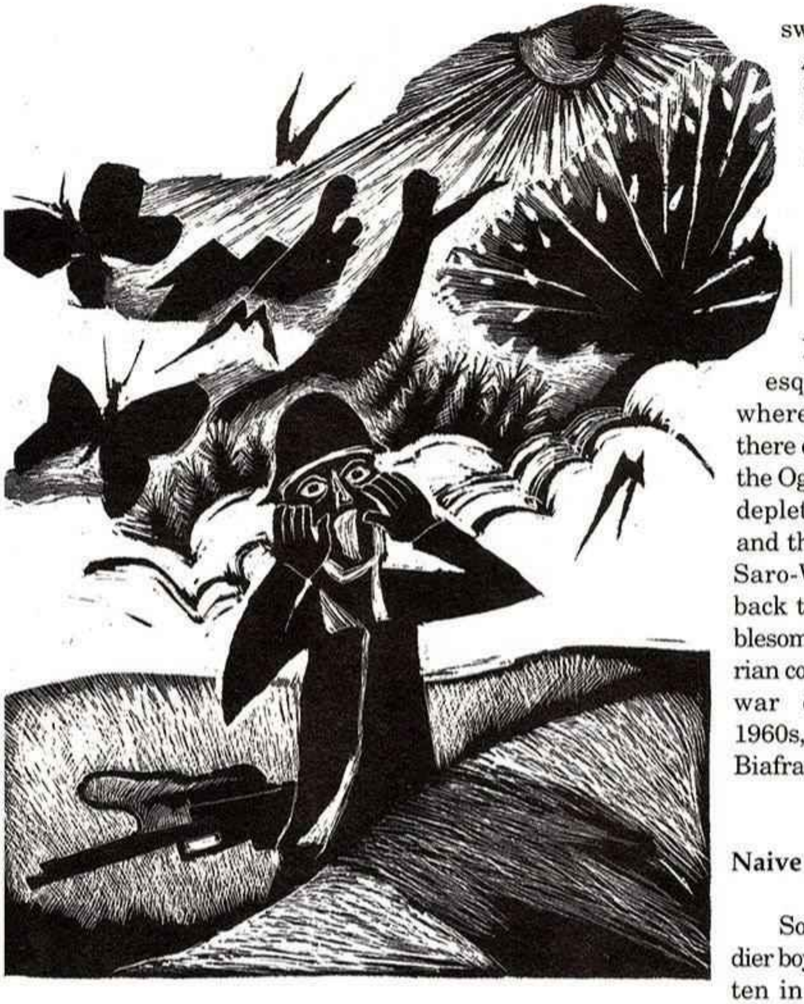
Ken Saro-Wiwa, the author of this profoundly disturbing but comic antiwar novel, was arrested by the Nigerian government on May 22, 1994. Since that date, he has remained in prison, though no charges have been brought against him other than the vague accusation of inciting others to murder four Ogoni leaders.

The absurdity of the accusation is particularly chilling, given the facts: Saro-Wiwa is a pacifist who has worked for years to articulate the plight of his Ogoni people. The tiny Ogoni tribe sits on valuable oil land in the Rivers State of southern Nigeria. Much of the land has been ruined by massive oil leaks, while the money from the oil has been siphoned off by the country's military leaders. Saro-Wiwa and other Nigerian intellectuals, including Nobel laureate Wole Soyinka, believe that the real threat to the Ogoni people is genocide.



SOZABOY
Ken Saro-Wiwa
England: Longman Publishing Group, 1994
188 pp.

Charles R. Larson is professor of literature at American University and author of The Emergence of African Fiction.



EMIKO OZAKI / THE WORLD & I

In a recent statement quoted in *The Index on Censorship*, Saro-Wiwa voices his own equally disturbing fear: "I can only hope that by the time you read this, I will not be dead. My health has deteriorated badly and I have been denied access to my doctor, lawyer, family, newspapers, etc. . . . In short, my murder is being officially planned and executed."

Sozaboy—first published in Nigeria by the author's own publishing house in 1985 and reprinted in the Longman African Writers Series in 1994—presents a particularly frightful scenario, given the recent horrors sweeping across the African continent. To say that Saro-Wiwa was prescient is more than an understatement; to say that he predicted the fate of his entire tribe is nothing less than Kafkaesque. And yet, nowhere in *Sozaboy* are there direct references to the Ogoni people or to the depletion of their lands and their selves. Rather, Saro-Wiwa has harked back to an equally troublesome time for his Nigerian countrymen: the civil war during the late 1960s, also known as the Biafran war.

Naive optimism

Sozaboy means "soldier boy." The novel is written in "rotten English," what the author refers to as

> a mixture of Nigerian pidgin English, broken English and occasional flashes of good, even idiomatic English. This language is disordered and disorderly. Born of a mediocre education and severely limited opportunities, it borrows words, patterns and images freely from the mother-tongue and finds expression in a very limited English vocabulary. It thrives on lawlessness, and is part of the dislocated and discordant society in which Sozaboy must live, move and have not his being.

The novel's brilliant opening sentence hangs in the air, begging for completion: "Although, everybody in Dukana was happy at first." Everybody was happy. Everybody was happy in Dukana. The opening sentence deconstructs itself, hinting at the dark closure of the narrative but also at a hidden bleakness that precedes the beginning. The seeds of destruction were already there, although at first, in their happiness, everybody in Dukana failed to recognize them.

And the narrator, our future Sozaboy, at first called Mene? The same naïveté applies to him and many others in Dukana. There's been a military coup, which Mene believes will bring positive change. It isn't long, however, before he and his fellow villagers realize that bribery and corruption are the same as before the coup. Worse, because these crimes are sanctioned by the military government, Mene realizes that no checks and balances are possible, "because government cannot arrest government." In short, the "country don spoil."

Still, most of Mene's optimism is intact. He's got a good job as an apprentice bus driver, the respect of his mother, and, shortly, the love of his sexy wife, Agnes "with J.J.C." ("Johnny Just Come . . . with lovely pointed breasts"). But then the tension begins with the outbreak of war.

Soldiers come to Dukana, searching for recruits. Supported by the village chief and the pastor, one of the generals makes his pitch for the young men to join the army:

> The man with fine shirt stood up. And begin to talk in English. Fine fine English. Big big words. Grammar. "Fantastic. Overwhelming. Generally. In particular and in general." Haba, God no go vex. But he did not stop there. The big grammar continued. "Odious. Destruction. Fighting." I understand that one. "Henceforth. General mobilisation. All citizens. Able-bodied. Join the military. His Excellency. Powers conferred on us. Volunteers. Conscription." Big big words. Long long grammar. "Ten heads. Vandals. Enemy." Everybody was silent. Everywhere was silent like burial ground. Then they begin to interpret all that long grammar plus big big words in Kana. In short what the man saying is that all those who can fight will join army.

Mene runs, as he does in several crucial scenes in the novel. He doesn't trust the general, the chief, or the pastor. He wants nothing to do with the soldiers or the war.

> I do not want to join the sozas. . . . You know, I am young boy. I have never do anybody any bad thing since they born me. You know I love my neighbour as myself. Even I am good Samaritan several times. I have not called another man's wife. I have not tief another person money. I do not go juju house. Forgive me my trespasses. . . . Oh my mother, pray for me, make those sozas no kill me. Let them kill snake, leopard and tiger. All those bad animals who live inside bush. But make them no kill me.

Saro-Wiwa has harked back to an equally troublesome time for his Nigerian countrymen: the civil war during the late 1960s, also known as the Biafran war.

Although his initial instinct is to avoid the soldiers like the plague, Mene is soon convinced by his wife that if he becomes a sozaboy, he will gain the respect and admiration he has never known before. Thus, he makes his fateful error, pleasing Agnes

("When the war don finish all who have fight war will become big men") and ignoring a warning from his mother, who insists that no good will come of his decision.

It isn't long before Sozaboy realizes his error. Even before the first encounter with the enemy, he discovers the class system operating within the military. The officers indulge in a continual orgy of liquor, tobacco, and women, while the recruits have nothing. Worse, the officers have no respect for the lives of the lowly sozaboys.

Chaos prevails

During one of his first confrontations with the enemy, Sozaboy is so frightened that he tears off his uniform in an attempt to look like a civilian. What he fears—becoming a prisoner of war—quickly happens. He narrowly escapes the firing squad, only because one of the enemy soldiers who recognizes him from the past orders him to become the driver of a military vehicle. Thus, Sozaboy finds himself on the opposing side of the war. Saro-Wiwa's point here is that it makes little difference; hardly anyone knows what he's fighting for. Only chaos prevails.

Before long Sozaboy takes the vehicle and drives back to Dukana to find Agnes and his mother. But when he reaches his town, he discovers that it is deserted, except for a couple of old men, who are hiding in the bush. They tell him to go to Pitakwa, where the villagers have supposedly been resettled. Sozaboy deserts the enemy army and searches for his wife and mother, encountering massive numbers of refugees everywhere he goes.

Saro-Wiwa provides a grim picture of the refugee camps that dot the horizon wherever Sozaboy searches. The scene resembles headlines about any number of African countries in the 1990s: starvation, disease, brutality on the one side, the profiteers of war on the other. Of one camp, Sozaboy remarks,

> This camp is proper human compost pit and all these people they are calling refugees are actually people that they have throway like rubbish. Nothing that you can use them for. They have nothing in this world. Not common food to eat. And everything that they have, they must beg before they can get it. All their children have big big belly like pregnant woman. And if you see their eyes and legs. Just like something inside cinema or inside bad forest in dream.

And, yet, Sozaboy quickly understands—just as he did in his village of Dukana and subsequently as a lowly recruit—that some people are doing very well. When he encounters the two most powerful people from Dukana, the chief and the pastor, he discovers that they are, in fact, getting rich. Even during the war, the really big men operate as part of the prevailing kleptocracy. Seeing their big bellies, Sozaboy understands that he's been little more than a pawn: "Sozaman life is nonsense and rubbish. Sozaman can die at any time . . . all this suffering is total useless. And to fight war is even more useless."

Thus Sozaboy flees again: this time, not the reality of what he has understood but the chief and the pastor of Dukana, who are about to turn him over to the "enemy," that vague authority exploiting the refugees no matter which army they have fled.

The denouement of this troubling novel finds Sozaboy bereft of everything that formerly nurtured him: his family, his town, his country. Back in Dukana after the war has ended, he learns that both Agnes and his mother were killed in the initial bombing

that led to the abandonment of their village. His villagers want nothing to do with him because they believe that he was also killed and therefore must be a ghost "to worry those who have not yet dead," because he was not properly buried.

In a state of bewilderment, Sozaboy leaves Dukana:

> And as I was going, I was just thinking how the war have spoiled my town Dukana, uselessed many people, killed many others, killed my mama and my wife, Agnes, my beautiful young wife with J.J.C and now it have made me like porson wey get leprosy because I have no town again.
>
> And I was thinking how I was prouding before to go to soza and call myself Sozaboy. But now if anybody say anything about war or even fight, I will just run and run and run and run. Believe me yours sincerely.

It is difficult to think of a more pessimistic novel of contemporary Africa. Fortunately, the language itself balances the bleakness of the narrative's dark underbelly. Coupled with Mene's innocence, the style captures an original African voice, à la Candide or Saul Bellow's Augie March. Here, for example, is Mene's initial excitement about becoming a soldier:

> So from that time wherever I go people are calling me "Sozaboy," "Sozaboy." Even I am very famous in Dukana sef. All the young young men are saying that I am tough man. Marrying fine Lagos girl, just like that and then preparing to go join army. They are saying that after some time they will give me proper big position for the army. Myself, I was prouding plenty. When they call me "Sozaboy" I will answer well well. Even I begin to tell people that my name is Sozaboy. If I go to any porson house and I knock and that porson asks who is that, I answer "Sozaboy." I like the name well well.

Or consider this choice line, after all the new recruits are given their rifles: "Everybody was looking at his gun like new wife dem just marry for am."

Ken Saro-Wiwa has written an African classic, a superb antiwar novel with the economy of *The Red Badge of Courage* and the satiric overtones of *Catch-22*. *Sozaboy* speaks out not only against the genocide of the author's Ogoni people but against the multiple military conflicts terrorizing the African continent. In the author's own fearful, poetic words, written in prison (and again cited in *The Index on Censorship*):

Sozaboy speaks out not only against the genocide of the author's Ogoni people but against the multiple military conflicts terrorizing the African continent.

> Ogoni! Ogoni!
> Ogoni is the land
> The people, Ogoni
> The agony of trees dying
> In ancestral farmlands
> Streams polluted weeping
> Filth into murky rivers
> It is the poisoned air
> Coursing the luckless lungs
> Of dying children
> Ogoni is the dream
> Breaking the looping chain
> Around the drooping neck
> of a shell-shocked land. ■

TABLE OF CONTENTS

JUSTICE FOLLIES: THE TRIAL OF O.J.

288 **Adversarial Justice**
Franklin Strier
The sobering reality is that our trials, especially jury trials, are decidedly fickle vehicles to the truth. Too often, justice is the casualty.

304 **Truth on Trial**
Tom Carbonneau
The central aim in the European inquisitorial system of justice is to determine the truth, within the context of a fair, reasonable, and rational hearing process.

314 **Justice English Style**
J.R. Spencer
American law grew out of British law, but that's all the two have in common.

ESSAY

324 **The Limits of Tolerance**
James F. Harris
Although tolerance is a good, it is not an absolute good. We should be intolerant of excessive tolerance because everything is not relative.

JUSTICE FOLLIES: THE TRIAL OF O.J.

Today, our courts are overwhelmed: Dockets are so full it takes months, even years, to get a case before a judge. Valid claims are often dismissed for minor procedural mistakes, while "questionable" suits dominate the system because lawyers know how to follow the court's procedural labyrinth. It matters less whether the case has merit than which side is better equipped to manipulate the legal process.

The American justice system assumes that "truth" will emerge in a lively battle between two adversaries. Each party is expected to pursue its self-interest as vigorously as possible, with the judge acting as a referee who controls the courtroom fight. Supposedly, the party that marshals the best evidence and generates the best arguments will be victorious. Unfortunately, in the zealous struggle to win, truth frequently gets mugged.

Our adversarial system of justice is built on a paradox: Lawyers are given exclusive responsibility to present evidence but are under no professional obligation to seek the truth. Their only goal is to win, not illuminate.

The trial of O.J. Simpson offers a unique window on our justice system. For months, "the dream team" has fought with prosecutors for courtroom advantage. Every maneuver has been tried. It is the biggest show in town. But it is not just O.J. who is on trial; it is the legal system itself.

This month we will contrast the strengths and weaknesses in our adversarial system of justice with those of English and Continental jurisprudence.

In the essay that follows, Franklin Strier examines the flaws inherent in our legal system. Adversarial trials, he says, are staged like theatrical performances involving real people with real problems and high stakes: prison or freedom; child custody or childlessness; recompense for serious bodily injury or destitution and welfare. Should matters of such consequence be resolved by a process that elevates showmanship over dispassionate and rational inquiry? He proposes a number of reforms to the system.

Tom Carbonneau looks at the characteristics of the inquisitorial system of justice, especially in France. Under the European civil-law system, the judge takes a more leading role in discovering the truth, calling witnesses and establishing the scope of the inquiry.

If the O.J. trial were taking place in England, it would probably seem to be occurring in an entirely different legal world. J.R. Spencer examines the inner workings of the British legal system, the rules of procedure, and particular limitations in the judicial process.

In 1984, Warren Burger, then chief justice of the Supreme Court, said, "Trials by adversarial contest must in time go the way of the ancient trial by battle and blood. Our system is too costly, too painful, too destructive, too inefficient for a truly civilized people." Indeed, the American people deserve better.

—The Editor

ILLUSTRATIONS BY MARCIA KLIOZE HUGHES / THE WORLD & I

ADVERSARIAL JUSTICE

Franklin Strier

We take it as axiomatic that our trial courts dispense justice. The very legitimacy of the courts depends on that expectation. Yet the reliance we place in our adversarial trial court system to deliver just decisions is a misguided leap of faith. This is neither a radical nor novel perspective. Consider, for example, this observation by the eminent jurist Karl Llewellyn:

> The adversary trial seems from outside like back-handedness or trickery which approaches a travesty on justice; a dragging, awkward, unreliable machinery at best; at worst, one which is manipulated. In consequence . . . there is not one sole excrescence of trial machinery that will find one sole jot of support from any person in the court except the lawyer.[1]

Several inherent flaws of the adversary trial system support Llewellyn's assessment, but none more forcefully than the system's weakness in exposing the truth. In a trial, justice without truth is serendipitous. Benjamin Disraeli said, "Justice is truth in action." The U.S. Supreme Court has concurred, frequently stating that the central purpose

1. Karl Llewellyn, *Jurisprudence: Realism of Theory and Practice* (Chicago: University of Chicago Press, 1962), 446–47.

Franklin Strier is professor of law at California State University, Dominguez Hills, California, and editor of the Journal of Business and Management. *His newest book is* Reconstructing Justice: An Agenda for Trial Reform *(Greenwood, 1994).*

of the trial is the determination of truth. As the O.J. Simpson trial careens fitfully but inexorably to its uncertain denouement, what and how much truth will it reveal? How good is it, or any American trial, at finding the truth? The sobering reality is that our trials, especially jury trials, are decidedly fickle vehicles to the truth. Justice is the casualty.

Paradoxes and false presumptions suffuse the theories and concepts undergirding our trial system. One such presumption is sometimes referred to as the *fight theory*, which holds that truth is best revealed in the courtroom through the clash of opposing views, rather than through investigation by the judge or other neutral third parties. Adversary theory presumes that the personal motivation of attorneys will generate the most assiduous search for favorable evidence. Essentially, this is the legal version of the "invisible hand" theory: Each party pursuing his or her own self-interest will adduce the most favorable evidence and generate the best arguments, yielding the fairest possible trial and a just result. By the same token, statements of the opposition will be vigorously monitored. Because the parties (rather than the judge) control the proceedings, rigorous cross-examination of adverse testimony is assumed.

The problem with the fight theory is that it is neither logically supportable nor empirically verifiable. Federal judge Jerome Frank, former chairman of the SEC and an oft-quoted critic of the adversary system, challenged the fight theory. His premise was simple: "The partisanship of the opposing lawyers blocks the uncovering of vital evidence or leads to a presentation of vital testimony in a way that distorts it."[2] He concluded: "To treat a lawsuit as, above all, a fight, surely cannot be the best way to discover facts. Improvement in fact-finding will necessitate some considerable diminution of the martial spirit in litigation."[3]

Other critics disparage the fight theory. Judge Marvin Frankel, a leader in the movement to give truth a greater value in trials, was shocked by the wanton leap of logic necessary to subscribe to the fight theory. After noting that other truth seekers do not use adversary means, he observed:

> We . . . would fear for our lives if physicians, disagreeing about the cause of our chest pains, sought to resolve the issue by our forms of interrogation, badgering, and other forensics. But for the defendant whose life is at stake—and for the public concerned the defendant is a homicidal menace—this is thought to be the perfect form of inquiry. We live, at any rate, as if we believe this.[4]

Commenting on the implausibility of the truth-from-fight assumption, Thurman Arnold wrote in *The Symbols of Government*:

> Bitter partisanship in opposite directions is supposed to bring out the truth. Of course no rational human being would apply such a theory to his own affairs. . . . Mutual exaggeration of opposing claims violate(s) the whole theory of rational, scientific investigation. Yet in spite of this most obvious fact, the ordinary teacher of law will insist (1)

2. Jerome Frank, *Courts On Trial* (Princeton, N.J.: Princeton University Press, 1949), 81.
3. Frank, *Courts*, 102.
4. Frank, *Courts*, 102.

As the O.J. Simpson trial careens fitfully but inexorably to its uncertain denouement, what and how much truth will it reveal?

that combat makes for clarity, (2) that heated arguments bring out the truth, and (3) that anyone who doesn't believe this is a loose thinker.[5]

Our use of the fight theory results in a paradox: Trial procedure assigns exclusive responsibility for presenting the evidence to those with no legal or professional obligation to seek the truth—the attorneys. Their goal is victory, not enlightenment. Studies show that attorneys often spend more time trying to hide or distort facts than revealing them. In every trial, at least one attorney usually tries to suppress or cloud unfavorable evidence.

A tenet of the adversary system is that each side's attorney will fight as hard as he can. Thus the attorney's duty of "zealous advocacy" is prescribed in the various professional codes that purport to delineate ethical conduct for attorneys. But this makes adversarial excess endemic to the system. And although we expect attorneys to adhere to the rules of evidence and confine their strategies to the ethical boundaries of the rules, they often bend the rules and stretch the strategies.

PRETRIAL ABUSE

Attorney abuses begin before the trial, during the discovery process. Under discovery, a litigant may request of the opposing party any relevant information (not protected by privilege) which that party has or to which that party has access. One objective was to do away with the element of unfair surprise in a trial. Initially, discovery was hailed as a boon to truth seeking, fairness, and the expedited disposition of cases. No longer. Discovery abuses now constitute the single greatest source of dispute, delay, cost, and trickery in the adversary system. Excessive discovery tactics either bully the opposition into submission or limit and distort the flow of information. Either result defeats the principal purposes for which discovery was designed.

Attorneys often use written interrogatories as tactical weapons by smothering a relatively impecunious adversary with extensive discovery demands and resultant costs. A survey of Chicago litigators found widespread use of another discovery tool, the deposition (direct questioning of a party or witness), as an aggressive weapon. The idea, said one respondent, is to "see if you can get them mad," to put them "through the wringer, through the mud," so that "they are frightened to be a witness and . . . are a much worse witness."[6] Responding attorneys employ an equally mischievous array of tactics. These include creating false, diversionary leads; providing the bare minimum of information; and making the acquisition of that information as difficult and expensive as possible.

In criminal cases, the prosecution

5. Thurman Arnold, *The Symbols Of Government* (New York: Harcourt, Brace & Co., 1962), 183–85.

6. Wayne Brazil, "Civil Discovery: Lawyers' Views on Its Effectiveness, Its Principal Problems and Abuses," *American Bar Foundation Research Journal* 787 (1980).

Police
Screw
Ups

Trial procedure assigns exclusive responsibility for presenting the evidence to those with no legal or professional obligation to seek the truth—the attorneys. Their goal is victory, not enlightenment.

always has the constitutional duty to disclose exonerating evidence. But many states now make pretrial discovery a "two-way street," requiring that the defense grant similar discovery rights to the prosecution. California is one of the recent states to mandate reciprocal discovery. The intentional breach of this duty by the defense in the Simpson case may bear heavily on the outcome. During his opening statement, defense attorney Johnnie Cochran flagrantly broke the discovery law by referring to intended witnesses and their prospective testimonies without first disclosing their identities and/or statements to the prosecution for discovery. These witnesses, Cochran said, would offer testimony exculpating Simpson or casting great doubt upon the prosecution's evidence. Cochran further suggested that the prosecution had hidden this evidence.

The prosecution expostulated convulsively. The government was unaware of some of the new witnesses. How could it hide that of which it was unaware? The other new witnesses were known miscreants or felons and thus were completely unreliable.

When the prosecution asked for sanctions against the defense, Judge Lance Ito found himself in an extremely delicate situation. Some sanctions were clearly in order, yet they could not be so severe as to produce bias against the defendant and create grounds for appellate reversal. After all, it was the defense attorney, not the defendant, who was the misfeasor in this procedural breach. The judge mulled it over for a day, then imposed two sanctions: First, he granted the prosecution ten minutes of "reopening" statements—in essence, a rebuttal; second, he admonished the jury to disregard the defense counsel's opening statements as they pertained to six of the potential witnesses.

Significantly, the judge did not mention what the testimony of these potential witnesses was to be. Thus, the jury does not know what weight to attach to the admonition. The warning will, therefore, have little corrective impact on the effect of the defense's opening statements (save suggesting to the jury that the defense counsel is somewhat untrustworthy). The ultimate effect of this gambit by the defense may never be known, but it is likely to be an affordable "cost of doing business."

Discovery abuse epitomizes the adversary system. Indeed, some attorneys argue that adversarial professionalism *commands* the use of such devices whenever they offer significant advantages. Whatever the validity of this contention, the intense competitive pressures of the adversary system make resort to obstructionist discovery devices a constant temptation and a common occurrence.

Pretrial adversarial excesses continue during voir dire (jury selection), a fertile area for trial attorneys to ply their trade. Attorneys may dismiss prospective jurors by challenges. Those whose responses to the voir dire questions indicate probable bias are challenged for *cause*. Attorneys may perceive that other prospective jurors would not view their client's case favorably but are not suffi-

ciently biased to challenge for cause. Such individuals can be removed by *peremptory* challenges. Unlike challenges for cause, peremptory challenges require no stated reason by the requesting attorney; however, they are limited in number—a common number is six for each side. But in cases of serious crimes, the number may be twelve or more. (There were twenty in the Simpson case.) Because of their limited availability, a premium is put on the attorney's skill in using peremptory challenges.

Statute and case law require the panel from which the jury is selected to be drawn from a representative cross section of the community in which the case is filed. To this end, courts use voter registration lists as the primary source for jury panels. Theoretically, the varying views within the community, if represented on the jury, make for vigorous and salutary debate. The hope is that conflicting prejudices will cancel each other out.

By strategic use of peremptory challenges, an attorney tries to assemble a jury receptive to his case. As candid practitioners readily admit, lawyers conduct voir dire not to get unbiased jurors but to get jurors favorably biased. Attorneys also seek competitive advantage by attempting to influence prospective jurors while interviewing them. Their tactics are designed to *create* bias in prospective jurors—via indoctrination, education, and socialization—rather than merely detect it.

Trial advocacy tracts (some even appearing in law school textbooks) are replete with advice on achieving an illegitimate goal: gaining adversarial advantage during voir dire. Several studies support the conclusion that the vast majority of the attorney's efforts during voir dire are indeed undertaken for gaining adversarial advantage rather than screening for bias. For example, one survey found that over 80 percent of attorneys' time during voir dire was used to indoctrinate prospective jurors. These findings were confirmed by an extensive survey of Los Angeles jurors (hereafter "the Los Angeles survey") that I conducted in 1987–88. (With over 3,800 jurors responding, it was the largest of its kind.)[7] More than one-third of the jurors agreed that "one or both attorneys were trying to persuade me in addition to probing for bias." This suggests that numerous attorneys are using voir dire for inappropriate didactic purposes.

TRUTH CORRUPTION

Once trial begins, tricks by attorneys can escalate—thanks in large part to the bench's historically lax enforcement of professional conduct rules. When infractions occur, they are routinely winked at by judges and bar association ethics committees. As a result, trial lawyers ostensibly enjoy a unique privilege in plying their trade: They are largely unanswerable to society for behavior that would be morally questionable elsewhere. This led the venerable jurist Felix Cohen to lament: "How the edifice of justice can be supported by the efforts of liars at the bar and ex-liars on the bench is one of the paradoxes of legal logic which the man on the street has never solved."

Space does not permit even a modest catalog of truth-corrupting tactics, but mention of a few common artifices

7. Franklin Strier, "Through the Jurors' Eyes," *ABA Journal*, October 1988, 78–81.

Discovery abuse epitomizes the adversary system. Indeed, some attorneys argue that adversarial professionalism commands *the use of such devices whenever they offer significant advantages.*

will suffice:

Coaching witnesses. A standard practice is for attorneys to interview their witnesses in preparation for testimony. The practice is known by a variety of sobriquets—"rehearsing," "horse shedding," "prepping," and "sandpapering"—but the most common term is "coaching." The dangers of coaching are substantial: An attorney who knows the testimony of all friendly witnesses can orchestrate a common story that can avoid contradictions. In the course of coaching their witnesses, attorneys suggest "better" answers that, if not clearly contravening the witness' intended answer, subtly but effectively shade, dissemble, or distort the truth. The Simpson prosecutors continued to accuse the defense counsel of coaching those defense witnesses whose changed stories benefited the defendant.

Attorney statements. Judges frequently tell jurors that attorney statements are not evidence. That is not enough. Jurors should also be informed that *attorneys are not under oath and do not have to believe their own statements.* Few jurors appreciate this. That is why attorneys are so effective when they (permissibly) impeach the credibility of witnesses they know to be telling the truth.

Similarly effective is the presumptuous question, one of the more insidious tools in the cross-examining attorney's arsenal. The presumptuous question implies a serious charge against the witness for which the attorney has little or no proof. An example: "Isn't it true that you have accused men of rape before?" Such innuendos are particularly effective against expert witnesses. A recent study found that by merely posing these questions, an attorney could severely diminish an expert's credibility, *even when the witness denied the allegation and his attorney's objection to the charge was sustained.* This clearly indicates that the presumptuous cross-examination question is a dirty trick that can sway jurors' evaluations of a witness' credibility.

Explanations for the effectiveness of this tactic vary. Communications research suggests people believe that when a speaker offers a premise, he has an evidentiary basis for it. With their pristine mind-sets, jurors assume that the derogatory premise of an attorney's question is supported by information. Another explanation lies in the possible confusion of jurors as to the sources of their information. The longer the trial, the less likely jurors will be able to distinguish information suggested by an attorney's presumptuous question from that imparted by the witness' answer.

Witness abuse. Cross-examining attorneys often regard witnesses as if they were open garbage cans and treat them accordingly. Early in the Simpson trial, for example, the defense resorted to hardball tactics against witnesses. Recall the derisive browbeating of police detectives by defense counsel. And when Simpson's friend, Ron Shipp, testified that O.J. had disclosed his dream of killing Nicole, the defense counsel on cross-examination accused Shipp of being an alcoholic, a

deadbeat, an ingrate, and a perfidious grasper who knowingly betrayed his friend to advance his own aspirations as an actor.

Emotional appeals. In the Los Angeles survey, two-fifths of the jurors felt "one or both attorneys were trying harder to distort or selectively hide facts rather than seeking to reveal the truth so the jury could make an informed judgment." Jurors rank ordered the tactics used to accomplish this obfuscation. "Appeals to the emotions of the jurors" and "repeated interruptions and disruptive tactics" came in first and second, respectively.

An emotional appeal to the jury, of course, is the time-honored ploy of the trial attorney with a weak case. How it will "play with the jury" becomes the overarching consideration in presenting evidence. Surely one of the most emotional moments in the Simpson trial appears to have been skillfully choreographed by the prosecution to have maximum impact on the jury. Assistant District Attorney Christopher Darden questioned Denise Brown, the sister of Nicole Brown Simpson, on the first Friday afternoon of the trial. After recounting O.J.'s past physical abuses of Nicole, Denise dissolved in tears. Darden then immediately asked for and received a recess, knowing that the jurors would carry that last compelling tableau with them over the entire weekend.

Adversarial trials conduce such drama because they are staged like theatrical performances. The show is the action taking place in the arena, bounded on the jury's right by the witness stand and judge's bench, and on the left by the attorneys' tables. Indisputably, the attorneys are the performers. Only they are allowed to walk freely in the arena, to and from the witness stand, the bench, and the jury box. They gesture, flail, and point. But mostly they talk: They bluster, blather, harangue, sermonize, and beguile. They laugh, cry, and bristle; they make the jurors laugh, cry, and bristle. Bar associations unabashedly offer "courtroom acting" classes to attorneys that satisfy continuing-education requirements. It is the greatest show in town because it involves real people with real problems and high stakes: prison or freedom; child custody or childlessness; recompense for serious bodily injury or destitution and welfare. Should matters of such consequence be resolved by a process that elevates showmanship over dispassionate and rational inquiry?

Dumb shows. The "repeated interruptions and disruptive tactics" referred to in the Los Angeles survey can come in many forms. Sometimes referred to as "dumb shows," this category consists of indecorous behavior intended to distract or mislead the jury, such as dropping books or making bogus objections. The legendary Clarence Darrow used a novel subterfuge. Before trial, he would insert a nearly invisible wire in his cigar. When his opponent began interrogating a witness, Darrow would smoke the cigar. Eventually, all eyes would follow the cigar ash, which, magically, never dropped.

Changing the story. In the unique, "fact-finding" inquiry that is the trial, attorneys selectively present evidence only to the extent that it furthers their version of the facts. The objective is to craft a credible story for the jury. In developing its story, the Simpson prosecution team chose an interesting strategy. Knowing it had to tarnish an American icon, the prosecution eschewed the con-

The longer the trial, the less likely jurors will be able to distinguish information suggested by an attorney's presumptuous question from that imparted by the witness' answer.

ventional wisdom of beginning its case with evidence of the murder in favor of presenting evidence of antecedent wife beating.

Sometimes the attorneys' stories change as the trial progresses. An Arizona trial judge offers his impression of how this happens:

> The sporting lawyer's concern is whether the story is convincing, whether it adequately meets the opposing story, not whether it is true or false. Thus it is not at all unusual to hear a courtroom story unfold like a novel, changing as the trial proceeds. Sometimes the story becomes clearer, sometimes fuzzier, sometimes contradicted as it is orchestrated by the lawyer-maestros. As one side crafts a story, the other side expresses outrage at the opponent's fiction and responds by fictionalizing its own story. The story is not as dismaying as the attorney's acquiescence in it. In this sort of liar's paradise, truth ceases to be a Heidegerian revelation; instead, trial evidence becomes a progressive sedimentation, with new layers of lies overlaying the original ones.[8]

The defense's story certainly changed in the Simpson trial. Defense counsel Robert Shapiro initially said O.J. was asleep at the alleged time of the murder. Later, defense counsel Johnnie Cochran claimed O.J. was swinging golf clubs in his yard at that time. We can only speculate as to why the story changed. We know the change occurred after the judge ruled that O.J.'s exercise videotape—recorded shortly before the murders—could be shown to the jury. This evidence would obviously refute the claim that O.J. was so racked with arthritis at the time as to be incapable of a double murder with a knife. Once the arthritis claim was dropped, there was no disadvantage in maintaining O.J. was swinging golf clubs at the time of the murder. Further, it helped explain why O.J. was outside his house when he called his girlfriend on his cellular phone.

Partisan expertise. Will technological advances improve trial truth seeking? Even with the advent of more accurate fact-finding techniques such as DNA testing, the adversarial process will continue to subvert the truth by subordinating it to competing values. Peter Sperlich, who writes on the use of scientific evidence, says: "The adversary system maximizes the opportunities to obscure the facts, coopt the experts, and propagandize the judge. . . . The greatest single obstacle to complete and accurate scientific information . . . is the adversary system."[9]

When expert witnesses are pushed into advocacy roles, attorneys and the system corrupt the value of the witness' expertise. Attention is too often focused on the personal characteristics of expert witnesses instead of the quality of their

8. R.J. Gerber, "Victory vs. Truth: The Adversary System and Its Ethics," 19(3) *Arizona State Law Journal* 3, 19 (1987).

9. Peter Sperlich, "Scientific Evidence in the Courts: The Disutility of Adversary Proceedings," *Judicature*, *66(10)* (May 1983), 472, 474, 475.

SHAPIRO
shadow concealer

Adversarial trials are staged like theatrical performances.

evidence. In a 1987 book compiling papers and comments on social research and the courts, the authors reached consensus on these points: (1) scientists serving as expert witnesses must expect to be used (and misused) for partisan purposes; and (2) the adversary system is not a reliable means of bringing all the relevant scientific data to the adjudicator's attention or of separating valid research from unwarranted conclusions.

With judges being generally passive, the scope of zealous advocacy trial tactics is limited only by the often-fertile imaginations of the litigation attorneys. Censuring individual practitioners or even the entire litigation bar for this state of affairs misses the source of the problem. After all, trial lawyers merely play their assigned roles within the adversary system. We should not condemn the attorney for engaging in morally questionable but nevertheless permissible trial tactics. Rather, we should decry the system that sanctions such tactics.

PROBLEMS WITH THE JURY SYSTEM

Any discussion of the adversary system is incomplete without considering the impact of the jury. Juries became enshrined in the Constitution because they were our bulwark during colonial times against the arbitrary and unjust decisions of the local judges appointed by the English Crown. Now we have representative democracy and many other constitutional protections against government encroachment. (Instructively, the courts of most other democracies do not use juries as we know them; none, including England, use them as extensively.) So the primary purpose of the jury is no longer protection against the government. Rather, it is a vehicle to attainment of an ideal: integration of community values, via the perspectives of common citizens, into the administration of justice. To this end, the law seeks juries composed of a representative cross section of the community where the trial is held.

Whether the jury system achieves or even approximates this ideal is highly debatable. Exemptions from service routinely afforded professionals and other potentially competent jurors both dilute the quality of juries and remove the very individuals particularly able to inject the community values that the law seeks. Most important, juries are usually selected partly or fully by the attorneys. It would betray great naïveté to contend that, in any given trial, the trial attorney's allegiance to the ideal of a representative, impartial jury is more than coincidental.

The main focus, however, should not be the jurors themselves. We should instead vet the jury system. Specifically, does current jury procedure facilitate or inhibit the realization of the ideal? And does this procedure make sense within the context of an adversarial trial?

The jury is called the trial's "fact finder." But unlike fact-finding in any other inquiry, the jury does not find, or investigate, any facts. Instead, it is the passive recipient of information, called evidence, introduced by the partisan

attorneys. Although no appellate court has ruled that questions from jurors are forbidden, the vast majority of courts do not allow them or do not inform jurors of the right to ask questions. Incredibly, juries enter deliberations without the opportunity to fill in missing information or clarify uncertainties.

The restriction on questions is only the overture to a litany of ill-founded constraints imposed on jurors. No matter how lengthy or complex the evidence, most courts do not allow jurors to take notes or do not advise them of the right if it is permitted. Nor do they permit jurors to see a transcript of the testimony or a notebook of exhibits. Trials operate under the myth of perfect juror recall—yet another blatantly erroneous presumption.

There's more: Our trials litigate everything at once. All evidence on all possible issues is heard in one continuous trial. Evidence on any issue can be introduced at any time between opening and closing statements. No juror-friendly, logical order to the presentation of witnesses or evidence is required. As a consequence of this implausible scheme of "fact-finding," jurors tend to forget evidence or apply it to the wrong issue. Historian Carl Becker's commentary on the jury system resonates with truth: "Trial by jury, as a method of determining facts, is antiquated and inherently absurd—so much so that no lawyer, judge, scholar, prescription-clerk, cook, or mechanic in a garage would ever think for a moment of employing that method for determining the facts in any situation that concerned him."[10]

Being laypersons rather than experts, jurors are frequently overwhelmed by technical or complex evidence. This would include the DNA evidence that expert witnesses hired by the opposing sides "explained" to the Simpson jury. Unfortunately, these experts often compound instead of ease the jury's task: How is a juror to know if the most persuasive expert is the most authoritative? Also troubling is the potential degree to which the experts' hefty fees may flavor their testimonies.

Equally confounding the jury's search for truth is all the relevant evidence that they *cannot* hear. Because nontruth values such as individual dignity and privacy coexist with truth in the philosophical underpinning of our trial system, large gobs of highly probative evidence can be withheld from the fact finder. As illustration, the sanctity of the family dictates that spouses need not reveal spousal communications. The judge also has great discretion to exclude relevant evidence if he believes its probative value is outweighed by the danger of unfairly prejudicing, confusing, or misleading the jury.

But substantially more evidence is kept inadmissible by exclusionary rules based on erroneous presumptions. These exclusions both compromise the search for truth and profoundly beggar the justice of the final decision. For instance, a procedural rule intentionally blindfolds jurors as to whether civil-case defendants carry insurance. (It is presumed that such information would unduly influence the jury's award.) The problem is that juries go ahead and make their own assumptions anyway, thereby unwittingly corrupting the decision-making process even more.

Simpson case watchers will note the magnitude of relevant evidence that may be excluded by the granddaddy of all exclusions, the hearsay rule. A historical

10. Quoted in Frank, *Courts*, 124.

In this sort of liar's paradise, truth ceases to be a Heidegerian revelation; instead, trial evidence becomes a progressive sedimentation, with new layers of lies overlaying the original ones.

distrust of jurors' ability to properly discount hearsay forms the basis of the exclusion. Yet no empirical consensus supports this contention. That is why legal scholars since Jeremy Bentham have advocated that hearsay be excluded only when more direct proof is available.

Jury problems in divining the facts pale in comparison with understanding the judge's instructions on the law to be applied. *Most judicial instructions are worthless.* Rather than explain or clarify the law, the judge's instructions usually confuse the jurors with jargon-laden, incomprehensible language. That is because they are worded to avoid appellate reversal, not to educate the jurors. Consequently, jurors commonly deliberate and vote in ignorance of the law, referring instead to their personal values and biases or succumbing to the emotions evoked by the pandering of the attorneys.

Let us pause to reassess the two preeminent features of the adversarial trial. First, we have the partisan opposing attorneys. With the qualified exception of prosecutors, they have no obligation to the truth but do have an overriding professional and financial incentive to do all they can to win within the decidedly loose bounds of zealous advocacy. Second, we have the lay jury. It cannot independently investigate but must rely exclusively on the staged, colored, and filtered versions of the facts presented by the attorneys.

This relationship profoundly affects trial outcomes. *The adversary and jury systems combine to deliver a witch's brew of trial justice.* Crafty attorneys have long prevailed in contravention of the merits of the cases they tried before juries by employing superior forensic skills or tricks or pandering to the basest of the jurors' emotions. Not only does the legal profession condone these tactics, it instructs in their use through law school courses and practitioner seminars. Over one-third of the Los Angeles survey jurors believed that the outcome of the case they sat on was dictated by a disparity in skills between the opposing attorneys. Two-fifths said the skills disparity was partly or completely responsible for a "wrong" decision with respect to the verdict or size of an award. These findings are unsurprising in light of adversary system theory, which holds that the optimal benefits of the system are realizable only in the presence of a supposition of epic proportions: Opposing litigants will be represented by competent attorneys of roughly equal skills. No more reason exists to believe this myth than to believe that opposing litigants will have roughly equal resources.

The mismatched attorney phenomenon is not entirely random. The wealthier the litigant, the better the available legal representation. I refer not only to better attorneys, but also to more persuasive expert witnesses and to other litigation support services that help "scientifically" select the most favorably disposed jurors. These factors have certainly benefited wealthy litigants, such as William Kennedy Smith. It is no small curiosity that our legal system espouses equality of treatment (equal justice); yet our trial mechanism, more than any other, skews trial outcomes in favor of

the side with the better attorney and more money.

REFORMS

Though failing, the trial system is not irreparable. I list below a few reform proposals.[11] The aim of all of them is to distribute some of the powers now wielded exclusively by attorneys to the judge and jury. As the impartial players in the trial, they are best suited to seek justice; the attorneys are not. Writes University of Chicago law professor Albert Alschuler:

> Although the adversary system may need a watchman, the task need not be assigned to the watched. Lawyers are simply not the appropriate figures to correct the defects of our adversary system. Their hearts will never be in it, and more importantly, it is unfair to both their clients and themselves to require them to serve two masters.[12]

Action from judges is the key to reform. Few people realize how extensive the judge's inherent authority is. All that is required for its exercise is the courage to impose rationality on the system.

If we are going to continue assigning weighty responsibilities to juries for little pay and much disruption in their lives, let's at least facilitate their task. All exclusionary evidence rules should be reevaluated to test whether their underlying presumptions correspond with reality. If we truly value the jury system, we should dare to embrace the revolutionary notion that jurors can actually be trusted with hearsay and other evidence commonly excluded, if the judge provides appropriate cautionary instructions. On balance, is justice really served by completely barring potentially decisive evidence because some jurors may ignore these instructions? Jurors should also be allowed to ask questions. When attorney incompetence leaves critical questions unasked, thereby threatening a possible miscarriage of justice, the judge should ask the questions.

The judge can order that all evidence on the same issue be presented at the same time by both sides. Imagine how much more lucid and judicable a trial would be with the following procedures. Witnesses with opposing testimony—including expert witnesses—would testify consecutively. Jurors would have a qualified opportunity to ask them questions. If helpful, the judge could call *neutral* expert witnesses to testify. At the end of each day and during deliberations, jurors could retrieve any or all of the testimony plus pictures of the exhibits from computers in the jury room. In order to provide a framework for processing the evidence, written copies of the judge's instructions would be simplified and given to the jurors *before* as well as after hearing the evidence.

Two important reforms should be made in jury selection. First, trial venues should no longer be changed because of pretrial publicity. In the age of mass media and instant communications, everyone hears about a high-profile case immediately. Deadly riots followed the first Rodney King trial because it had been moved from a minority community to a predominantly white one; the resulting jury had no African Americans. Now

11. For a full discussion of proposed reforms, see Franklin Strier, *Reconstructing Justice: An Agenda for Trial Reform* (Westport, Conn.: Quorum Books, 1994), chapter 7.

12. Albert Alschuler, "The Preservation of Clients' Confidences: One Value among Many or a Categorical Imperative?" 52 *University of Colorado Law Review* 349, 354 (1981).

Action from judges is the key to reform. Few people realize how extensive the judge's inherent authority is. All that is required for its exercise is the courage to impose rationality on the system.

it has been bruited about that Los Angeles District Attorney Gil Garcetti moved the Simpson trial from the west side of Los Angeles (predominantly white) to the more mixed downtown area because he felt a conviction by a predominantly white jury would lack credibility. This may be a valid political judgment, but it has little to do with the law. It certainly contravenes the ideal of a jury representing a cross section of the community where the crime occurred.

Many experts believe most trials are won during jury selection. This militates in favor of the second jury selection reform—eliminating peremptory challenges. (Peremptories remove prospective jurors for reasons other than overt bias.) Inevitable disparities in the jury selection skills of attorneys probably skew the final jury more in a particular direction than the full panel from which it has been drawn. Now, the advent of expensive jury consultants gives an unfair advantage to wealthy clientele both in jury selection and in strategy suggestions during trial.

* * *

These and other reforms will be vigorously opposed. Who gains the most by preservation of the status quo? Not the judges. A recent extensive survey I conducted of the California judiciary confirms the earlier findings of a nationwide Harris survey that judges favor many trial reform proposals. Narrowing further the search for the antireform interests, contemplate who is most adversely affected by an obviously projury reform—videotaped testimony. Prerecorded testimony (i.e., before jury selection) would have the following benefits for juries and the quality of trial justice:

- Jurors would not be inconvenienced by interruptions for sidebar conferences, attorney objections, witness delays, and so forth.
- The resulting compression of evidence presentation time would give the jurors a more comprehensive view of the entire case.
- The court no longer need resort to the absurd fiction that jurors can actually follow the judge's instructions to disregard what they have already heard ("unringing the bell").
- All improper attorney questions and bogus objections intended solely for effect could be eliminated from the jury's purview.

Note that by virtue of the last benefit, any inappropriate nonverbal behavior (gestures, facial expressions) by attorneys or their clients could also be eliminated. Is there any remaining doubt as to who wants to keep trial procedure as is?■

ILLUSTRATIONS BY MARCIA KLIOZE HUGHES / THE WORLD & I

TRUTH ON TRIAL

Tom Carbonneau

The O.J. Simpson trial and its inordinate presence in the American landscape illustrate many of the deficiencies of American justice and of an American society consumed by adversarial confrontation. The carnivalesque quality of this media production is testimony to the lack of balance, of measured proportionality, in our collective judgments. Bloating reality until it is absurdly disfigured and then accepting the distortion as a reflection of the truth are at the heart of this spectacle. Everyone is buying and reading the grocery tabloid, firmly convinced that it is the *Washington Times*, the *Wall Street Journal*, or—in our more hysterical moments—a Shakespearean play.

The illusion—until a verdict comes—is complete; no one focuses upon the pain and suffering of Nicole Brown Simpson or Ronald Goldman or upon the grief and anger of their loved ones. Viewers focus upon how Detective Mark Fuhrman might be eviscerated by F. Lee Bailey, whether a side bar will result in further acrimony between Marica Clark and Johnnie Cochran, whether Clark's divorce problems will affect her performance on the stage of the courtroom. Will Robert Shapiro reconcile with Cochran and Bailey? Will the "dream team" earn their Olympian status? This is the lurid stuff that mesmerizes American society and diverts us from the core issues of culpability or innocence.

Undisciplined, we allow adversarial opposition to convince us that peripheral issues are the defining center of social intercourse between individuals and institutions.

Tom Carbonneau is professor of law and director of the Institute of Comparative Law at Tulane University.

Everyone agrees that rampant murder, drug use, child abuse, and financial banditry are evil and need at least to be contained, if not completely eliminated. And yet our understanding of and solutions to these problems are forged in the pit of adversarial debate. These solutions at first imply (and their advocates later howl) that the other side is completely wrong and that merit can exist on only one side and in a single position. Triumph for its own sake becomes essential, and our vision of the whole is blinded. There is no boundary to the assault; no line of human dignity exists that cannot be transgressed; no interest is of sufficient social importance to impede the assertion of individual self-interest. Have institutions failed us, or have we failed our institutions?

Adversarial advocacy paralyzes our public discourse. The abortion debate, for example, does little, if anything, to promote a serious dialogue on this most serious of social and ethical issues. Similarly, the adversarial confrontation between feminists and their critics is an exercise in mutual distortion and slander; our understanding of men, women, and children is not advanced. Our current obsession with government accountability and bottom-line budgetary thinking clouds our judgment about what is right and just for American society. The fiscal problems are serious and eventually will become dramatic, even tragic. But rather than seek viable solutions, there, as elsewhere, the discussion and its attendant distrust erode the debate into a cacophony of bickering. The adversarial ethos prevents us from adopting solutions that are meaningful and rational. Little societal profit can be gained from the symbolism of position taking and the unilateralism of single-minded advocacy.

Where will American society be once the O.J. Simpson trial comes to closure? Will the justice system be reinvigorated or diminished? Will our ability to debate national issues be advanced? Does this trial posit the necessity of the adversarial trial or reveal deficiencies in the system that are unacceptable and intolerable to American society? Are values, however defined, being ignored or undermined? Is there a better way to achieve justice in adjudication?

THE CIVIL LAW EXAMPLE

As there are other forms of government, there are other forms of judicial adjudication that function quite differently yet maintain an essential commitment to civilization and individual freedom. Continental European legal systems based on the civil-law tradition evince greater respect for the content of legal norms and pay substantially less attention to the procedural rectitude of proceedings than do the common-law systems of Great Britain and the United States.

In France, Germany, Spain, and Italy, legal rules are legislated and codified, which gives the legal system a normative architecture, a substantive backbone, by which the system regulates individual conduct. The purpose of a legal proceeding is not to emasculate a rule in the pursuit of victory. Rather, the adjudicatory process attempts to resolve the dispute according to the guidance contained in the applicable legal provision. That provision is the source of initial and final reference in reaching a determination, and the judge's function is to remain as faithful as possible to the text of the governing law and to the legislative com-

Truth—the legal truth born of codes and established judicial practices—is central to determinations.

mands that it contains. Civil codes and methodology provide professional legal answers to questions raised in adjudicatory proceedings.

The contrast between the American adversarial and the European inquisitorial approaches to justice is perhaps most stark in the criminal justice system. European and American concepts of fairness in the imposition of criminal liability differ substantially. Although justice is ostensibly the end envisaged by each system, the functioning and underlying gravamens of each process are not comparable. According to Professor Rudolph Scheslinger, an eminent comparative law scholar, the process of criminal prosecution in European civil-law systems is intended to protect the innocent, while the foremost objective of U.S. criminal justice is to protect the guilty. In the United States, the adversarial process permits the parties to take control of the criminal trial, and constitutional protections become the focal point of the proceedings. The state cannot abridge the rights of an individual without conforming meticulously to due process.

STATE ACTION

In Continental European civil-law systems, the inquisitorial approach to justice emphasizes that legal determinations are done in the name of the state. The integrity of law supersedes individual interests; a professional ethic of justice dominates. The guilt or innocence of the accused, the criminal defendant, is a matter of arriving at an informed view of the case. The central consideration is to determine the truth, or its likelihood, within the context of a fair and reasonable hearing process. Law, like the truth it seeks, transcends the particular case, the implicated parties, or even the civil servants who are responsible for dispensing it.

The grand jury process that delivers indictments in the U.S. criminal justice system is unknown in Continental legal systems. Pretrial investigations, done to determine whether there is a sufficient basis for prosecution, are conducted by an investigating judge *(juge d'instruction)* in conjunction with the public prosecutor's office (the rough European equivalent of the U.S. district attorney). The judge conducts a thorough investigation of witnesses, documents, and other evidence. The investigation includes questioning the suspect in the presence of legal counsel; the suspect has the right to refuse to answer questions propounded by the investigating magistrate. Once his investigation is complete, the magistrate decides whether there is sufficient evidence to charge the suspect. A finding of sufficiency results in the referral of the case to a three-member panel of judges that assesses the evidence and hears arguments from the suspect's lawyer as well as makes suggestions for gathering additional evidence. If this panel determines, upon deliberation, that the evidence indicates that there is "reasonable cause" to charge the suspect, the suspect becomes the accused and must stand trial. In effect, the suspect is indicted.

THE TRIAL

In civil-law criminal proceedings, the trial is a single, concentrated, dramatic event—not a succession of separate hearings as in civil litigation. The trial court consists of a mixed bench: One or three judges sit with several lay assessors. The lay assessors are the rough equivalent of a jury in the U.S. common-law system. They are members of the public, chosen at random, who sit on the bench, hear the evidence, and—along with the judges—determine the outcome of the proceeding. This mixed bench of professional judges and ordinary citizens resolves both legal and factual questions, issues a verdict, and—in the appropriate case—imposes sentence upon the convicted defendant. Verdicts and sentencing are rendered contemporaneously.

At the outset of the trial, the charges against the accused are read in open

Where will American society be once the O.J. Simpson trial comes to closure? Will the justice system be reinvigorated or diminished? Will our ability to debate national issues be advanced?

court. Defendants are instructed that they have a right to remain silent; they are asked, however, to make a general statement about themselves and about the charges brought against them. As a general practice, they testify without taking an oath and are questioned primarily by the presiding judge or the chief judge of the court. Other witnesses are questioned in the same open-ended manner. There are very few exclusionary rules relating to either testimonial or physical evidence. Hearsay is permitted ordinarily. The court's task is to reach a determination on the accused's guilt or innocence in light of its evaluation of the evidence: whether the facts as presented persuade it in one way or the other on the central question of the proceeding.

Closing arguments by counsel and a statement by the defendant follow the presentation of the evidence. The court then retires to deliberate in chambers. In the deliberations, each judge—whether professional or lay—has one vote. Ordinarily, there are more lay than professional judges. The court's decision need not be unanimous; it can be reached by simple majority vote. The deliberation and the vote are confidential, not disclosed in open court or in any other public fashion. The court can acquit or convict the defendant; in the event of conviction, it also pronounces the sentence along with the conviction.

Finally, the right of appeal is available both to the criminal defendant (in the event of a conviction) and to the prosecution (in the event of an acquittal). Appeal consists of a trial *de novo*—a complete rehearing of the facts and the law with the possibility of introducing new evidence. An appeal can be lodged against the acquittal, the conviction, or the sentence, or both the conviction and the sentence. Final appeal before the Court of Cassation (the court of last resort in both criminal and civil matters) can be filed only on questions of law.

Throughout the preliminary investigation and the hearing process, defense counsel has an absolute right to have timely access to the record that is being developed against the defendant. The aim of the process is to eliminate any form of surprise at trial and to have the trial serve as a real inquiry into the guilt or innocence of the accused. The presence of lay assessors on the tribunal allows the community to influence criminal liability standards, but it does not convert the trial into a game of evidentiary technicalities or attempts to manipulate the decision makers. The mixed tribunal assesses in its own mind the information presented, listens to the arguments of counsel, and arrives at a collegial consensus about the guilt or innocence of the criminal defendant. The governing standard is one of persuasion *(la conviction intime)* based upon an understanding of the facts, the witnesses, the victims, and of the accused.

It is interesting to note in terms of the rationale of the process that a defendant's confession does not end a trial. Under the principles of inquisitorial criminal justice, the court must be satisfied that the evidence corroborates the defendant's admission of guilt. The basic

view is that individuals cannot define their own measure of justice; the state is responsible for maintaining social order, and it also is accountable for the justice determinations that maintain social stability. As a result, there is little room for the courtroom theatrics that have become commonplace in the U.S. system. Cross-examination (debilitating or otherwise), behavioral experts and jury selection, other paid experts, endless colloquies between the attorneys, side bars, and sequestered juries are all unknown in civil-law criminal justice. Paying a group of remarkable trial strategists to create some level of possible doubt through the protracted grind of cross-examination is simply not a feature of the European process.

Although Americans always cringe at the thought of state action, especially against an individual—admittedly for deep-seated political reasons—the state in European civil-law jurisdictions has the responsibility of dispensing justice and maintaining the rule of law in criminal and civil legal proceedings. It achieves those objectives in criminal cases by relying upon the expert judicial gathering and appraisal of material evidence and upon determinations reached through the collegial activity of legal actors and lay citizens. Money, the media, a cadre of hired experts, and celebrity do not impair the state in its mission or undermine the integrity and the rule of law.

Given the U.S. political experience, however, it is difficult to argue that the constitutional protections that are afforded to criminal defendants should be abridged or that the criminal trial should undergo significant modification based upon the European model. The imposition of criminal liability involves direct state action and the possibility of deprivation of liberty. It implicates immediately the provisions of the Bill of Rights, the founding principles of our form of government. Despite the many attractive characteristics of the civilian criminal trial process, any movement in its direction is likely to be extremely controversial and politically unpalatable.

PROCEDURAL JUSTICE

The same standards protecting rights—but for the burden of proof—apply, however, in the U.S. civil setting, where, ironically, they may be unnecessary. Critics charge that the U.S. civil litigation process is cumbersome and protracted, costly without much return, and ultimately destructive to both parties. The dysfunctional operation of the civil justice process makes one wonder whether it is the purveyor of any protection of rights at all. At times, the values embedded in the civil justice system seem to be most effectively challenged by the operation of the system itself. A civil litigant has the right to a jury trial; the proceedings are party dominated; the litigants undertake discovery, take depositions, and submit interrogatories prior to trial; counsel have a right to cross-examine witnesses and to present experts; the admissibility of evidence can be contested. The availability of such extensive procedural rights could at least be reconsidered in light of the deficiencies of the U.S. process.

The procedural framework of the civil trial process also emphasizes professional and predictable determinations. In civil-law countries, civil jury trials are unknown. Typically, a bench of three judges hears the evidence and rules on both liability and damages. Judges are

The dysfunctional operation of the civil justice process makes one wonder whether it is the purveyor of any protection of rights at all.

the ultimate decision makers in the trial process. As a result, courtroom theatrics are held to a minimum. Evidence is admitted on a relatively open basis, and the bench of judges decides on its significance. Moreover, the trial process does not consist of a single-event trial; the proceeding is made up of a series of meetings between a supervising judge and the parties. A judge conducts the discovery of evidence, calls and questions witnesses, and establishes the record for the full court. There is no right of cross-examination; in fact, the parties ordinarily do not question witnesses directly but rather submit questions to the judge requesting that they be asked of witnesses. Witnesses do not testify under oath, are not rehearsed by legal counsel prior to their appearance, and usually testify freely about their knowledge of relevant events. Their credibility is determined by the supervising judge. The system favors documentary rather than testimonial evidence. In a word, the trial is conducted by legal professionals who determine the factual requirements presented by the case and who then hear the parties' arguments on the significance of the record and the applicable law.

Procedural justice in civil-law systems consists of a fair and reasonable opportunity to present one's case. Adversarial confrontation is part of the process, but it is not the central defining element of adjudication. The court does not abandon its role of proclaiming the law or of establishing the basic legal and factual foundations for reaching a determination. A trial does not represent a redefinition or reapplication of fundamental legal principles in each and every case. Doing justice is a state function performed by civil servants; it relies primarily upon the juridical expertise of the court and its sense of professionalism. Truth—the legal truth born of codes and established judicial practices—is central to determinations.

Specifically, in terms of achieving reform in tort litigation, the civil-law procedure known as *la partie civile* might help achieve greater efficiency in the adjudication of personal injury claims. *La partie civile*, translated literally as the civil litigant, is a joinder of criminal and civil liability actions. Under this procedure, a plaintiff who has been injured by the criminal defendant and tort-feasor can intervene in the criminal action and become, in effect, a coplaintiff with the state. The plaintiff benefits from the state-conducted discovery, which is more thorough than evidence gathering in civil proceedings. The court sitting in the criminal action not only delivers a criminal determination but also can award compensatory damages to the private plaintiff. The recovery of personal injury losses is thereby facilitated by the efficiency, economy, and quickness of the legal action.

There are, however, a number of drawbacks. For example, the exercise of prosecutorial discretion could prevent a plaintiff from engaging in this procedure simply because no criminal action is being pursued. In both France and Germany, however, there are significant restrictions upon the public prosecutor's ability to refrain from bringing a criminal action.

Another deficiency for plaintiffs is that, under French law, *le criminel tient le civil* (a criminal disposition is binding upon a civil proceeding), which means that an acquittal of the criminal defendant extinguishes the plaintiff's right to recover in a civil proceeding. Finally, the different standards of proof in U.S. law between criminal and civil liability would make this procedure extremely difficult to integrate into U.S. law.

It is difficult to transpose the experience and practice of one national legal process into another legal system. Each legal system reflects the political and cultural history of the country in which it emerged. No other nation, for example, has the depth of constitutional adjudication that takes place in the United States. That tradition has an unmistakable

In France, witnesses do not testify under oath, are not rehearsed by legal counsel prior to their appearance, and usually testify freely about their knowledge of relevant events.

impact upon the American trial process.

Some general instruction, however, could be drawn from the Continental European civil law systems for the American civil trial. Despite its own operational problems and bureaucratic character, the civil-law trial incorporates a strong sense of legislatively ordained values into the adjudication of claims. Procedural tactics do not erode the rule of law, and adversarial dialogue is relegated to a measured role in the trial process. The civilian trial reflects the values of intellectual discipline, rationality, and professionalism, and provides for some level of predictability in the outcome of proceedings.

CONCLUSIONS

The legal combat in the Simpson trial should not be mistaken for the moral or social mission of the law. But legitimate social institutions must remain informed, at some level, by truth, however defined or acknowledged. The American adversarial trial teaches a false lesson under the guise of the fabricated demands of a self-serving adjudicatory philosophy. Our human personality and collective identity cannot long survive on the adversarial trial's perpetual diet of *ad hocism*, doubt, and uncertainty; positioning and exaggeration for advantage ultimately do have a substantial, fundamental cost.

The European Romanist tradition complements the rigor of scrutiny with the integrity of normative law and a procedure that is responsive to considerations of fairness and professional justice. In the civil-law tradition, there is at least some measure of legal truth that crosses the decades and the volume of litigation. Although the civil-law trial provides for confrontational debate and the protection of rights, its definition of justice and of the law remains intact. The truth of the process allows society to dispense justice in a fuller sense. The civil-law trial process achieves a necessary balance between the necessity of adversarial dialogue and the integrity of law in the process of adjudication.

There is a critical need for a reconsideration of method and for a redefinition of the legitimacy of social practices and institutions. While we have advanced in technological knowledge, moral standards and values elude us or have escaped our grasp in law and in our communities. We may have the mechanisms to achieve greatness, but it seems that we have lost the character and the courage to pursue it. The fear of defeat and the embarrassment of concessions in the age of visual media prevent us from striving for social consensus. Adversarial dialogue is a means by which individuals can participate in and influence social institutions. It should not prevent citizens from engaging in the process of articulating the larger historical and communitarian truths of these institutions or prevent that institutional process from taking place. Adversarial dialogue should not be allowed to sever justice from the truth or prevent American society from reaching its goals as a polity. ■

ILLUSTRATIONS BY MARCIA KLIOZE HUGHES / THE WORLD & I

JUSTICE ENGLISH STYLE

J.R. Spencer

American law grew out of English law, and American criminal procedure grew out of English criminal procedure. In broad outline, both still look very similar. In both, there are two types of procedure: a rapid one, leading to a reduced sentence, for those who will plead guilty, and a slow and cumbersome one for those who deny their guilt.

If the defendant pleads not guilty, the prosecution must establish his guilt by means of oral evidence. The witnesses are called, examined, and cross-examined adversarially by the parties, not inquisitorially by the court. The defendant has a right of silence. Unlike in France, where the trial starts off with the judge examining the accused about the charges, no one asks the Anglo-American defendant any questions at the trial unless he chooses to give evidence; if he does give evidence, he only does so after the close of the prosecution case.

In both systems, the judge acts as an umpire rather than as an inquisitor. In a serious case, the question of guilt or innocence will be decided by a jury of twelve lay people, who will be told that they must not convict unless they are satisfied of the defendant's guilt beyond a reasonable doubt.

Yet between the American and the English trial there are differences of detail, and these go far beyond the immediately obvious one, which is that in an English Crown Court trial, the judge and barristers wear wigs. These differences of detail are so many and so great that if the O.J. Simpson trial were taking place in England, it would probably seem

J.R. Spencer is professor of law at Selwyn College, Cambridge University, England.

to be happening in an entirely different legal world.

MAJOR DIFFERENCES

The first big difference between English and American criminal procedure concerns selection of the jury. In England, there is no voir dire. The prosecution and defense are not permitted to ask potential jurors questions, in order to decide whether to challenge them. Thus, the days or even weeks that are sometimes spent in American courts while the opposing lawyers try to mold a jury favorable to their case are quite unknown. In an English court, selecting the jury never takes more than a few minutes.

The defense can challenge jurors, and until 1988 it had a right of peremptory challenge. That is, the defense could challenge without giving any reasons. As long as only householders were eligible for jury service, peremptory challenges were rare: Most jurors were middle-class white males, and the person you peremptorily challenged was likely to be replaced by someone rather like him. When jury service became universal in the 1970s, however, challenging jurors became common. Eventually it turned into something of a scandal, because it was repeatedly asserted that in fraud trials, defense counsel tended to challenge any juror who looked as if he might be numerate, or even intelligent.

In consequence, Parliament in 1988 abolished the defendant's right of peremptory challenge. The defense still has the right to challenge for cause, which means it can challenge a juror if it is able to say why it thinks that he is unsuitable. But as the defense is given no information about the jurors, apart from their name and address, and is not allowed to get it by asking them questions, this is something it rarely can do.

Surprisingly, perhaps, it is not the practice for the judge or court officials to ask questions of potential jurors, either. This means, unfortunately, that in practice no serious attempt is made to eliminate people who are obviously unfit to serve. Sometimes, there are scandals when it emerges that a jury contained some completely unsuitable people: individuals who are deaf, or unable to understand English, or sometimes impersonators—people, usually out of work, who illegally stand in for someone who wishes to avoid doing his jury service.

Some of those who do appear for jury service behave less than responsibly. Several years ago, a fraud trial had to be abandoned when a couple of jurors went to a pub during the lunch break, and a woman juror, rather drunk, started making sexual advances to the foreman of the jury during prosecuting counsel's closing submissions. Last year, the Court of Appeal heard one appeal brought on the ground that a juror had spent part of her time in the jury box writing love letters to one of the barristers, another on the ground that the jury in a murder case had tried to solve the mystery of "who done it" by using a Ouija board.

If potential jurors were routinely questioned about their attitude toward jury service, some of these irresponsible characters would presumably have been kept out of the jury box. But such is our fear of the weeklong voir dires we hear of on the other side of the Atlantic that most English lawyers would rather endure the ill than undergo the cure.

A second difference between an American and an English trial, again to do with

In England, there is no voir dire. The prosecution and defense are not permitted to ask potential jurors questions, in order to decide whether to challenge them.

jurors, concerns the "secrecy of the jury room." In England, unlike in the United States, it is a criminal offense for jurors to disclose what went on in the jury room, and if they break the law and do so, it is also a criminal offense for the person who received the information to publish it.

Breaking the secrecy of the jury room was made a criminal offense in 1981, partly in response to what had happened after the trial of Jeremy Thorpe—a cause célèbre that attracted nearly as much attention in England as the Simpson trial has attracted in the United States. Thorpe, member of Parliament and former leader of the Liberal Party, was tried and acquitted for incitement and conspiracy to murder one Norman Scott, his former homosexual lover, who had been trying to blackmail him. After Thorpe's acquittal, a juror gave an interview with a magazine in which he stated—to the outrage of Thorpe's defense lawyers—that he and his fellow jurors had believed there was indeed a plot to do something bad to Scott, but that they were not sure beyond reasonable doubt that the intention was to murder him. This sort of disclosure, it was felt, must stop, and Parliament promptly turned it into a criminal offense.

LIMITS ON THE MEDIA

Another significant difference between a criminal trial in England and the United States is that in England there is strict control over what the media can print or broadcast about the case ahead of trial. Once criminal proceedings have been launched, anyone who publishes anything about the case that might affect the ultimate fairness of the trial, in particular by prejudicing the minds of potential jurors, is deemed guilty of the criminal offense of "contempt of court."

The classic example of the offense is where, in a sensational case, the newspapers start discussing the evidence, or reveal the alleged fact that the defendant has committed a series of other offenses in addition to the one or ones for which he is on trial. But it would equally be a contempt of court for the defense to mount a press campaign in the defendant's favor, by trying to discredit the prosecution case.

This law of contempt of court is strict, and on the whole the media stand in awe of it. For one thing, it is punishable summarily. The attorney general does not have to prosecute the defendant before the ordinary criminal courts but has the option—which he generally takes—of instituting proceedings in the High Court. Although this is a civil court, it has the power to summon the person allegedly guilty of contempt to appear before it and to punish him by imprisonment or fine. When it sits to do this, it sits without a jury.

The punishments imposed are sometimes quite severe. In a famous case in 1949, for example, the editor of the *Daily Mirror* was sent to prison for three months and the company fined ten thousand pounds—in those days an astronomical sum—for what they published about Hague, the defendant in a high-profile murder case. Hague had been

HOSTILE DUNCE
NUTS!

In England, a criminal trial does not turn into a major public spectacle by becoming televised. Indeed, televising court proceedings is a criminal offense.

accused of a series of murders, the victims of which he had allegedly shot and dissolved in an acid bath. The *Daily Mirror*'s offense was to publish an article describing him as a "vampire" and saying that he was responsible for a series of other deaths as well.

How strong a sanction is the law on contempt of court was vividly described by the journalist Rebecca West—who, unlike most journalists, actually approved of it—when she wrote the following in *A Train of Powder*.

> The legal restrictions on crime-reporting in Great Britain excite the wonder of other nations. They are admirable and it should be our pride to obey them, for they go far to preventing trial by prejudiced juries. If a gentleman were arrested carrying a lady's severed head in his arms and wearing her large intestine as a garland round his neck and crying aloud that he and he alone had been responsible for her reduction from a whole to parts, it would still be an offense for any newspaper to suggest that he might have had any connection with her demise until he had been convicted of this offense by a jury, and sentenced by a judge.

So severe a restriction was the law of contempt—and so much wonder did it indeed excite among other nations—that in 1981 it caused the United Kingdom to be condemned by the European Court of Human Rights in Strasbourg for a breach of the provision of the European Convention on Human Rights relating to free speech. Afterward, it was necessary for Parliament to amend the law by imposing various limits on the offense, notably section 5 of the Contempt of Court Act of 1981, which provides that

> a publication made as or as part of a discussion in good faith of public affairs or other matters of general public interest is not to be treated without more as contempt of court . . . if the risk of impediment or prejudice to particular legal proceedings is merely incidental to the discussion.

In certain other respects, however, the law relating to what the media may report about pending criminal cases has been tightened in recent years rather than relaxed. At one time, the media were completely free to publish all or any of the evidence that was heard in open court in the course of any proceedings preliminary to the trial, such as committal proceedings or, until they were abolished, proceedings before the grand jury. This was thought to be potentially unfair to defendants, because it could result in potential jurors getting a prejudiced view of the case ahead of trial.

In the famous case of Bodkin Adams—the Eastbourne doctor accused of murdering his patients in 1957—the prosecution gave evidence at the committal proceedings about the deaths of various patients, about whose deaths no evidence was presented at trial. In 1967, Parliament responded to this problem by enacting a law making it an offense to publish anything about committal pro-

ceedings other than the bare factual details of who was accused, of what, and where they were sent to trial.

The law, in its original form, provided that this restriction on reporting had to be lifted if the accused, or any one of them, requested it. This led to problems in the Jeremy Thorpe case, when Thorpe and most of his coaccused did not want the restriction lifted, but one of them—allegedly paid to make the request by one of our less scrupulous newspapers—requested it. As a result, the newspapers were able to report, in full sordid detail, all the evidence against Thorpe as it was first called at the committal proceedings, giving their readers second helpings of it all at his eventual trial the following year. Following this, the law was changed, giving the court discretion about lifting the ban when one defendant wants it lifted and his codefendant does not.

In England, furthermore, a criminal trial does not turn into a major public spectacle by becoming televised. Indeed, televising court proceedings is a criminal offense. The Criminal Justice Act of 1925 actually makes it an offense to

> take or attempt to take in any court any photograph, or with a view to publication make or attempt to make in any court any portrait or sketch of any person, being a judge of the court or a juror or a witness in or a party to any proceedings before the court, whether criminal or civil.

The only kind of physical representation this law does not forbid is sketches of the court proceedings that artists later draw from memory, an art form that sometimes does appear in the English press.

Recently, there has been some discussion in England about the possibility of televising court proceedings. In Scotland, which has its own separate legal system and different laws, an experiment recently took place. A series of fairly run-of-the-mill criminal trials was televised, and edited versions of them were then broadcast, in England as well as in Scotland, complete with commentary and interviews with the various parties involved.

This experiment has led to something of a public debate. On the one hand, the fear has been expressed that an edited version of a criminal trial, in which the bulk of the evidence is suppressed, must necessarily give a misleading account. On the other hand, neither lawyers nor television companies seem to think there is any future in televising complete criminal trials. If I were a betting man, I would wager that the ban on television cameras in English criminal trials will remain in place.

ROLE OF JUDGE

Another thing which gives an English criminal trial its distinctive flavor is the dominant position of the judge. Compared with a judge in France or Germany, the English judge plays a passive role, but he still dominates the trial to a much greater extent than does his American counterpart. This is shown, in a symbolic way, in the elaborately formal courtesy with which English barristers invariably address the bench.

Behind the symbol is a reality. An English judge can be expected to cut counsel short if he thinks the barrister is wasting the court's time by calling irrelevant evidence or asking irrelevant questions. At the end of the case, fur-

Behind the symbol is a reality. An English judge can be expected to cut counsel short if he thinks the barrister is wasting the court's time by calling irrelevant evidence or asking irrelevant questions.

thermore, the English judge—unlike judges in most jurisdictions in the United States—gives the jury a direction, which includes his own personal views on the weight of the evidence. "Members of the jury, it is a matter for you, but you may think that. . . ." In most parts of the United States, the judge who did this would be criticized for usurping what is properly the jury's function.

The comparatively less dominant position of the American judge came about as a result of American politics in colonial days and immediately after the Revolution. In the colonial era, the judges were appointed—as they still are in England—by the Crown. They saw themselves as representatives of the king, and like many English judges of that period they thought it was their duty to exert pressure in favor of the Crown in cases that had political overtones: a tendency that juries tended to react against. This experience gave Americans both a deep and lasting distrust of dominant judges and a corresponding tendency to magnify the role of juries and, to some extent, of the lawyers for the parties.

The less dominant position of the American judge is also a consequence, to some extent, of the sort of people who become judges and the way in which they are appointed to the bench. In the United States, judges are often chosen by election, a process that may give them democratic respectability but that certainly does not ensure that the lawyers who appear before them will have any deep respect for their legal knowledge or forensic skills.

English judges—or at any rate, the sort of judges who preside in Crown Court trials in serious cases—are still appointed, in colonial fashion, by the queen. They hold office for life or until retirement age. They are—and have to be—lawyers with many years of experience behind them. If the newspaper caricature of the English judge is a rather crabby, elderly man, the judge who presides in a serious case is usually someone whose knowledge and experience give him real credibility with the lawyers who appear in front of him.

The position of the English judge, as compared with that of the American, is neatly shown by the use of a common phrase: *trying a case*. In the United States, it will be the attorney who tells you that he is "trying" O.J. Simpson. In England, a barrister would tell you he was "prosecuting" or "defending" him. "Trying" the case is the expression used by the judge, not by counsel.

The relationship between bench and bar in England is more complicated than this, however. A judgeship is a desirable and coveted position, judges are almost exclusively appointed from the upper levels of the bar, and—although no barrister would publicly admit it—what many English barristers want, even more than to get rich, is to become a High Court judge.

Judges are chosen by the queen according to a rather arcane process, which depends in part on information from existing judges. If you ever want to be a judge, you must therefore take care, when prosecuting or defending cases, to

play the game according to certain unwritten rules—one of which is that there are limits to how far it is proper to exploit the rules of criminal procedure and evidence in order to win your client's case.

Among English barristers and judges, there is a derogatory expression, "a spoiler," which means a lawyer who will put any and every spanner in the works and adopt any time-wasting strategy to achieve the objects of his client. No counsel with a reputation as a "spoiler" is likely to be appointed to the bench. This fact, taken with the unspoken desire of most barristers to end their career as judges, limits the amount of "spoiling" that takes place.

A further matter makes criminal trials in England less adversarial than they are in the United States. This is the absence of any clear professional division between lawyers who prosecute for a living and lawyers who defend. At the Crown Court level—where serious cases are heard—not only the defendant but also the Crown Prosecution Service must be represented by an independent barrister. The barrister who prosecutes today is likely to be someone who, the previous week, appeared for a defendant.

The fact that the Crown Prosecution Service must hand any serious evidence in the case over to a barrister is often criticized, and in some ways it is certainly inefficient. On the other hand, it does mean that the British bar can under-

*When they look at what happens in some trials—like O.J. Simpson's—
on the other side of the Atlantic, English lawyers
do feel some reassurance.*

stand that there is a need for the guilty to be convicted as well as a need for the innocent to be acquitted.

No American who reads this should think that everything in English criminal procedure is perfect. A criticism sometimes heard in England is the one that Americans often make of it: class bias. In England, there is a close connection between accent and social class. With few exceptions, those who go to the bar in England have, or rapidly acquire, accents popularly identified as upper class; judges, who are usually ex-barristers, usually talk in the same way. Partly because of this, perhaps, a recurrent theme in the popular press is that "the judges are out of touch." This theme is played loudly and often when, as sometimes happens, a judge makes a particularly unfortunate remark—as when, some years ago, a High Court judge observed when sentencing a man who had kicked his wife, "If you had been a miner in South Wales, I might have overlooked it. But you are a cultured gentleman living in a respectable part of the country."

For myself, I do not share the view that because judges often talk with upper-class accents, our criminal courts are biased. If our judges do tend to be rather upper class, they also tend to be well-educated and intelligent; they have the wit to recognize the risk of bias and to guard against it. But whatever the real position may be concerning bias, it certainly does not improve the credibility of our higher judiciary among half of the population that almost all of it is male.

English criminal procedure is also often criticized for the same reasons that American criminal procedure is criticized: It is too slow, too costly, and too much of a game. In right-wing circles, it has long been said that English criminal procedure is too soft and that it makes it too easy for the guilty to be wrongly acquitted. But then, in 1991, we had the Birmingham Six cases, which raised the opposite concern. Here, some sixteen years after they had been sent to prison for killing a large number of people in a terrorist bomb outrage, it was eventually revealed that the six Irish defendants had been convicted on evidence that was seriously unreliable.

Sadly, there have been a series of other cases like it. In response to these, the government appointed a Royal Commission on Criminal Justice, which in 1993 produced a long string of recommended changes. But then the government, by now thoroughly alarmed about law and order, hurriedly forced through Parliament an act that, broadly speaking, put into effect proposals that were favorable to the prosecution, or cheap. It largely ignored ones that favored the defense and—for good measure—made a serious inroad on the defendant's right of silence. So controversy about English criminal procedure still abounds.

When they look at what happens in some trials—like O.J. Simpson's—on the other side of the Atlantic, English lawyers do feel some reassurance. If some things in criminal justice are not good here, at least, somewhere else in the common-law world, some things actually seem to be done worse. ■

AP / WIDE WORLD PHOTOS

■ Flag burning still inflames many Americans, who feel it should not be tolerated.

THE LIMITS OF TOLERANCE

James F. Harris

Currently, both within the somewhat narrow limits of professional literature and research and also within the more general intellectual community, the extent of a person's degree of tolerance is taken by many people as the ultimate litmus test of his cognitive reasonableness, intellectual maturity, and moral worth. The dominant view seems to be simply that since tolerance is good and intolerance is not, and since a little bit of tolerance is good, then more and more tolerance is even better. Aristotle's insights regarding the golden mean and moderation have been ignored; the implication is that tolerance is one of those virtues of which we can never have too much.

According to radical forms of relativism, which are becoming more and more prevalent in American society today, basic epistemological notions such as truth, logic, and methods of reasoning are considered as relative to and internal to some particular context or culture. Such a position makes ahistorical and transcultural comparison and evaluation impossible. Earlier, in *Against Relativism: A Philosophical Defense of Method* (LaSalle, Illinois: Open Court Publishing Company, 1992), I argued that the various forms of radical relativism are self-refuting, nonsense, or ineffectually arbitrary and that, though many things might be relative, not everything is. I do not intend to rehash those arguments here. It seems to me, however, that the battle has shifted to issues outside the confines of narrow academe. Many of the same issues and debates concerning relativism

James F. Harris is Haserot Professor of Philosophy and chair of the Department of Philosophy at the College of William and Mary, Williamsburg, Virginia.

are now being raised concerning what I call "personal" beliefs, which include moral, religious, aesthetic, social, and political beliefs. When we examine the ways in which the academic debate concerning radical relativism has impacted upon personal beliefs (religious beliefs in particular), we find that some of these ways are pernicious—in the sense that the degree of tolerance encouraged by radical relativism threatens basic requirements of both intellectual thought and moral character.

Let me explain what I mean by *personal* belief: Following Charles Peirce, American philosopher and the father of pragmatism, let us understand a belief to be that upon which a person acts or is willing to act. Beliefs are those things upon which we predicate and by which we direct our behavior. Some beliefs function as epistemological justifications for other beliefs—what Peirce called the "fixation" of belief.

Certainly many kinds of belief, including scientific ones, fit this description. In addition, personal beliefs are those beliefs about which a person feels a certain strong psychological attachment in such a manner that holding certain beliefs rather than certain other ones is part of his self-identity. While scientific (or simply practical) beliefs are necessary for survival, personal beliefs are necessary for a person's sense of integrated self, happiness, and well-being. The attachment that people have to personal beliefs is such that to abandon them or change them in any drastic manner would cause serious disruption and possible psychological harm.

A humorous, but nonetheless illustrative example of such personal beliefs is a speech delivered by the classic antihero Crash Davis in the movie *Bull Durham*. He says (in a slightly edited version): "I believe in the soul, . . . the hanging curve ball, high fiver, good Scotch, that the novels of Susan Sontag are self-indulgent, overrated crap. I believe that Lee Harvey Oswald acted alone. I believe that there ought to be a constitutional amendment outlawing AstroTurf and the designated hitter. I believe in the sweet spot, soft-core pornography, open your presents Christmas morning rather than Christmas eve, and I believe in slow, deep, soft, wet kisses that ought to last three days."

Now, for better or worse, here is a man who knows what he believes. I might agree with some of those beliefs and disagree with others. And I might think that some of his beliefs are completely ludicrous, but his profession of his beliefs gives an identity to the character in the movie. We now have some idea of what kind of person this character really is.

Religious beliefs, moral beliefs, social and political beliefs, and aesthetic beliefs fall into this category of personal belief. These are beliefs about which mature individuals develop *convictions* and feel strongly and passionately, and which they hold on certain grounds or for certain reasons. Personal belief is the kind of belief upon which philosophers, since the time of Socrates, have directed the searchlight of philosophical inquiry.

Today, there are enormous pressures—both intellectual and political—in American society to relativize all of our beliefs, including our personal beliefs, to some context, paradigm, framework, or language game.

One of the earliest and most influential routes through which such relativism made its impact upon personal beliefs was through the social sciences. For example, consider the case of reli-

So far as many philosophers of religion are concerned today, the problems of religious beliefs that used to be regarded as philosophical are now regarded as really sociological.

gious beliefs. So far as many philosophers of religion are concerned today, the problems of religious beliefs that used to be regarded as philosophical are now regarded as really sociological. Consequently, one hears a great deal these days about the sociology of religion as an avenue for dealing with traditional problems within the philosophy of religion.

PETER WINCH

One of the earliest and most important works responsible for opening and widening this route was Peter Winch's book, *The Idea of a Social Science and Its Relation to Philosophy* (London: Routledge, 1958). In this work, Winch adopts and adapts Ludwig Wittgenstein's notion of a language game and applies it to the social sciences. A *language game* is an established pattern of linguistic usage, practiced by a group of people, that gives meaning to words.

Winch's neo-Wittgensteinian approach to the social sciences has been enormously influential. Winch provides the theoretical basis for what has now become known as *functionalism*. Originating with the renowned anthropologist Bronislaw Malinowski, this "enlightened" view in anthropology—and now the dominant and received view of the social sciences—has become simply to try to understand the "function" of different beliefs in different cultures. On the basis of *internal* criteria of justification or meaningfulness, that is, internal to the language game or cultural context in question, beliefs that appear to be nonsense or "unjustified" from the "outside" can thus be seen as reasonable or justified.

Winch's reading of Wittgenstein is loose and generous, and his application of the notion of language games to the social sciences is swift and direct. He paints all of social science with the broad brush of language games with long, sweeping, and indiscriminate strokes. The social sciences, according to Winch's application of language games, become simply the study of different social practices that must be relative to the different rule-governed contexts in which those practices occur. For Winch, this understanding of the social sciences separates them sharply from the natural sciences, because facts and data concerning social practices are understood as always being relative to contexts created by the language games and must therefore be *interpreted* or understood relative to those contexts.

Winch's "interpretation" of the social sciences generally and the sociology of religion specifically can easily be seen in his now well-known treatment of E.E. Evans-Pritchard's anthropological research concerning the Azande of Africa. According to Winch, Azande magic and witchcraft become indistinguishable from what we call science and religion. All questions and problems concerning the reasonableness or *rationality* of the Azande beliefs are relative to their culture and the particular set of "language games" they play or the particular "form of life" that they embrace. According to Winch, basic epistemological notions such

AP / WIDE WORLD PHOTOS

■ A pastor handling poisonous snakes during a church service in Jolo, West Virginia, a practice that many find intolerable because it endangers lives.

as evidence, truth, confirmation, and rationality itself are relative to particular cultural contexts created by language games, and there is no ahistorical and transcultural epistemological basis for making comparisons of different cultures or assessing one culture from the epistemological standpoint of another.

Everything that is true of epistemology in Winch's view is true *a fortiori* for religious beliefs. If distinctions between religion and magic and religion and witchcraft cannot be reasonably made, then, so far as the philosophy of religion goes, unlimited tolerance must be the order of the day because there are not only no epistemological grounds upon which to assess a particular set of beliefs, but also no epistemological grounds upon which to even *understand* different sets of beliefs.

If the epistemological bridgehead that might provide access to different sets of beliefs is eliminated, then there is no privileged position from which we can critique different views. We are left with the very limited and uninteresting job of simply trying to *describe* what different people believe relative to different cultures—that is, functionalism. In other words, the philosophy of religion dissolves into the sociology of religion, just as the philosophy of science dissolves into the sociology of science. Moral philosophy and aesthetics are reduced to sociology and anthropology, as well.

Without the kind of universal epistemological base, which is eliminated in Winch's analysis, there is no Archimedean point outside a particular set of beliefs from which questions concerning meaningfulness and justification can be raised. It follows that if we are not in a position to critique or evaluate different sets of beliefs, then they are all on the same epistemological footing, and we must thus be tolerant of different sets of beliefs. We are never in a position to say that "we" are right and "they" are wrong about anything.

D.Z. PHILLIPS

This understanding of the nature of religious beliefs has been developed in great detail by D.Z. Phillips in *Faith and Philosoph-*

The mistake of the positivists, Phillips argues, was in maintaining that there is a single "grammar" within a single language game and in using this single language game for assessing the language of religious beliefs.

ical Inquiry (New York: Schoken Books, 1971) and *Faith after Foundationalism* (London: Routledge, 1988). His adoption of a Wittgensteinian, language-game approach to the question of the nature of religious beliefs and his radical reading of Wittgenstein can easily be seen as a direct consequence of logical positivism's attack, in the first half of this century, on the meaningfulness of religious claims.

The mistake of the positivists, Phillips argues, was in maintaining that there is a single "grammar" within a single language game and in using this single language game for assessing the language of religious beliefs. Different language games come with different grammars. These include different rules and criteria for meaningfulness and truth that provide differing structures for using and "moving about" within a language game. Using the rules and criteria of one language game within another one amounts to a kind of category mistake comparable to what happens if one confuses the rules of chess and the rules of baseball. One simply cannot castle the first baseman and the second baseman and the shortstop, and one cannot have the rook hit and run. Such "moves" are neither true nor false. They simply are not permitted conceptually by the rules of the respective games.

Phillips employs this strategy to account for the epistemological issues generated by conflicting religious claims. The questions of the verification of religious beliefs and their "actual" truth or falsity are issues that can be reasonably pursued only by religious believers within a particular religious language game using its own grammar. Thus, for Phillips, such beliefs cannot be examined and assessed by the same criteria and rules as, for example, the claims of science or from the language game of another set of religious beliefs.

Consequently, according to Phillips, the religious believer and the atheist do not really contradict each other when one asserts that God exists and the other denies that God exists. Here, according to Phillips, the language deceives us into believing that the two are, in turn, asserting and denying the same proposition when, Phillips claims, they are actually playing different language games. The believer is affirming a commitment to a religious life, and the atheist is affirming a commitment to a completely secular life. One person is indicating a preference for the game of baseball; the other, a preference for chess.

For Winch and Phillips, there are no grounds for comparing different language games, and one language game cannot be used as the basis for assessing others. Thus, the only "mistakes" are internal ones generated by some violation of the grammar peculiar to a particular language game. It also follows that there are no rational grounds or "reasons" for choosing one language game over another. Thus, the philosophy of religion is "deconstructed" into the sociology of religion, and what remains is simply different descriptions of different language games that different religious believers and nonbelievers play.

THOMAS KUHN

This account of religious belief parallels very closely Thomas Kuhn's well-known, paradigm-based view of the nature of science from his enormously influential book, *The Structure of Scientific Revolutions*. According to Kuhn's view, paradigms create a context to which terms, facts, data, method, reasons, and the very criteria for the evaluation and preference of paradigms themselves are relative. Because paradigms are "incommensurable," we cannot even understand one paradigm from the standpoint of another. All of this means that a person's preference for a particular paradigm or a change from one paradigm to another cannot be made on the basis of reasons, and one cannot, on grounds of reason or by appealing to reason, *argue* one's own way from one paradigm to another or convince another person to change from one paradigm to another. Paradigm change thus becomes an abrupt Gestalt switch that is discontinuous with the past. As a model for understanding what is supposed to happen, imagine the visual Gestalt changes that take place when we can see an illustration as two faces or as a chalice. You either see it one way or the other, and there are no "reasons" for seeing it one way or the other.

It follows on this line of reasoning that different religions, as well as different sets of moral and aesthetic beliefs, are also, when compared with one another, simply different language games. Many philosophers now maintain that since there are no "pure experiences," that is, because all of our experiences are mediated through some sort of epistemological grid, there is no single reality, no *it*, that is then interpreted by different people in different ways. In other words, religious differences are not explained by the fact that different people experience x and then interpret x and explain x in terms of Hindu, Jewish, Islamic, or Christian categories. Rather, since all experience is mediated by some interpretive grid, people of different religious persuasions simply have different realities.

This same argument holds mutadis mutandis for moral and aesthetic beliefs as well. Different moral or aesthetic beliefs are simply different components of different language games. Because different cultures with different epistemological grids in place will have different moral and aesthetic "realities" as well as different religious "realities," then moral theory and aesthetics are likewise understood as radically relative to different language games with no "bridgehead" for the transcultural and ahistorical criticism or evaluation of those beliefs.

If the situation is as the radical relativists would have us believe, we should practice general, unrestrained tolerance because people with belief systems different from our own are simply choosing to play different language games. In addition, if, as claimed, the different reasons for people preferring different language games are themselves *internal* to those language games, then there appear to be no grounds for rationally arguing for any claims regarding the various strengths and weaknesses of any one language game against others. Science and magic are treated on the same epistemological level as simply different preferences that different people might have for different "games." Varying personal beliefs—religious, moral, and ethical beliefs—are simply the result of using different grids. These preferences are regarded as

Contrary to initial appearances, the language-game/paradigm-based view of beliefs is an insidious trap that leads only to skepticism and nihilism.

autonomous in the sense that whatever reasons there may be for those preferences cannot be epistemologically scrutinized or evaluated external to the individual games themselves.

AN INSIDIOUS TRAP

Contrary to initial appearances, the language-game/paradigm-based view of beliefs is an insidious trap that leads only to skepticism and nihilism. First of all, let us consider (and hopefully dispose of) the spurious claims about different notions of rationality that are supposedly relative to different contexts because of different language games. If human reason and rationality are themselves relative to different language games and paradigms, then this would surely constitute the strongest argument for sweeping tolerance. If these claims are correct, then we are left with no epistemological vantage point from which to assess the reasonableness of different, apparently conflicting claims.

However, within any context or language game and relative to a grid or paradigm, there must be a difference between holding a particular belief and not holding that belief. One of the most important lessons to be learned from Wittgenstein regarding language games is that a game with no rules is not a game. And the rules *must* be of a certain nature. Within a language game, rules must provide the theoretical context within which correct and incorrect usage become possible. Any language game within which any and every linguistic "move" is just as permissible as any other is simply nonsense. In terms of belief systems, what this means is that a particular belief must always exclude some other particular belief, and a belief that leads a believer to a particular course of action must preclude another course of action.

Any belief system that contains contradictions is compatible with any and all actions and is thus paralyzing to the believer. That is, the believer cannot act reasonably on any belief to bring about a desired intention or result, since any behavior is just as likely as any other to bring about that particular intention or result. In other words, an inconsistent set of rules for a language game allows for every possible "move" within the game, and hence there would be no difference between correct and incorrect moves within that particular language game or, indeed, between one language game and another.

To illustrate the lunacy of such a situation, try to imagine such a game. Imagine something resembling the familiar game of American baseball but with an inconsistent set of rules according to which there is no distinction between players and nonplayers, no difference between the playing field and the stands (or the streets), no difference between balls and strikes, no single way to keep score, and no way to determine winners and losers. In such a game context, one cannot act rationally.

The same holds for all language games. One can suspend some of the rules all of the time, but one cannot sus-

pend all of the rules some of the time. And not all rules are equally important epistemologically because some of the rules one can suspend *none* of the time. Consequently, any system of beliefs upon which behavior is predicated must be logically consistent, and that logical consistency must be of a nature determined by universal logical laws, rules, and principles. Whatever other senses of *rational* there might be, the most fundamental and universal one is this sense that is dependent upon logical criteria that are rational simply because they are, and not because they are relative to some grid.

Surely some comparison among language games must be possible in order to retain anything of the traditional notion of religious belief. For any devout religious believer to acknowledge that any and all religious beliefs are equally true, relative to different contexts created by different language games, seems simply to amount to an admission of the failure and the emptiness of religious beliefs altogether. There would then apparently be no difference between being a believer and being a nonbeliever.

Consider this: What would it be like for a person of integrity to be willing to suspend judgment regarding all of his personal beliefs at a particular time? Then personal beliefs could not contribute at all to that person's sense of self-identity or a sense of integrated well-being or to that person's happiness. Such a person would be similarly paralyzed and unable to act rationally to choose a course of action consistent with his perceived sense of self-identity or that could contribute to his sense of happiness or well-being. On the contrary, a person who is noncommittal, indecisive, or "wishy-washy" about such personal beliefs, a person with no *convictions*, is the exact paradigm of the way in which we characterize a person with no integrity or intellectual courage—an intellectual coward or sycophant.

THE STRENGTH OF BELIEFS

A good way to measure the strength with which a person holds his beliefs (that is, to distinguish his convictions from other beliefs) is to examine the strength and seriousness of the external resistance and obstacles to those beliefs and the degree to which he will maintain them in the face of such resistance and obstacles. What do we think of people who cave in at the first sign of opposition or resistance to a belief? A person who is willing to change what he professes as important personal beliefs whimsically can have no sense of an integrated self-identity. What would it be like to have such a person as a spouse? Or as a lover or a friend?

The traditional understanding of intellectual inquiry maintains that multifarious and competing beliefs, positions, and theories are essential both to science and personal beliefs. In the free marketplace of ideas, each competing set of beliefs must be allowed its time and fair chance to accrue whatever epistemological warrant it can, and the defenders of each set of beliefs must be allowed their fair chance to present their case and develop whatever argument they can. The various cases are presented, the evidence considered, the reasons given; then, the choice is made. However, we must be prepared to choose a position and state our reasons why.

In the case of science, such a process is essential to the very nature of the scientific method. Competing hypotheses and theories are not and cannot be com-

Radical relativism regarding personal beliefs robs those beliefs of the kind of substantive content that gives rise to the strength of conviction with which they are held and the importance with which they are regarded.

patible with exactly the same data; so different hypotheses and theories muster whatever support they can from different scientists based upon experimentation and the data resulting from that experimentation.

In the case of personal beliefs, such an open, free, and critical examination in the public arena is no less important. For such a critical examination and debate to take place, it is necessary for beliefs to compete and conflict with one another. A situation in which all personal beliefs are regarded as equally plausible, and the reasons and justifications for those different beliefs are regarded as *internal* to and relative to the various different sets of beliefs themselves, is a situation in which reason and persuasion have no role and no force. But this is exactly the result of adopting radical relativism.

EVILS OF RADICAL RELATIVISM

Such a situation in which radical relativism is accepted, often hiding under the guise of enlightened, general tolerance, is an insidious form of far-Left fascism. According to such a position, an individual is denied the use of reason and the freedom to compare, choose, and defend his particular set of beliefs. Discussion and persuasion based on reason give way to intimidation and coercion based on physical strength or political power. In such a situation, genuine intellectual inquiry and critical argumentation give way to either totalitarianism or anarchy—to the complete political domination of a particular group or the irrational struggle among all groups.

Radical relativism regarding personal beliefs also robs those beliefs of the kind of substantive content that gives rise to the strength of conviction with which they are held and the importance with which they are regarded. Ironically, although the situation would then be such that the only way to settle disputes over these beliefs would be to fight over them, they become not worth fighting over. We would then lose all distinctions regarding what we now describe as people of character, courage, and devotion because radical relativism gives general and blanket succor to intellectual cowardice, where the distinctions between right and wrong beliefs and good and bad reasons for holding beliefs become meaningless.

Much has been made of the importance of diversity, pluralism, and multiculturalism to our democratic form of government. The kind of radical relativism that I have examined here and that seems to be rampant in the intellectual world today—particularly on college and university campuses—would be completely paralyzing to the very nature of not only democratic government but to any form of government. There is nothing within democratic political theory that requires or even suggests that all beliefs are of equal merit. All beliefs are to be guaranteed their chance to gather whatever support they can on the basis of whatever reasons their proponents can present, but this kind of open competition in the marketplace of ideas, which *is* essential to democracy, is exactly what

the radical relativists deny is possible. Although some values and/or beliefs might be relative to different contexts, the fundamental reasons for holding those values or beliefs cannot be.

It is no simple coincidence that Thomas Jefferson said, in the Declaration of Independence, "We hold *these* [my emphasis] truths to be self-evident." He certainly did not think that *all* truths are self-evident or equally important, and he clearly did not intend that "*these* truths" be understood, as some now claim they should be, as truths relative to the particular language game that he happened to be playing at that particular moment. It is only because *these* certain truths are not relative that we are able to provide an atmosphere for free inquiry where argumentation and persuasion, not violence and force, provide the avenue for determining our beliefs.

Although I am reluctant to discuss examples here because of the fear of oversimplifying, here are some examples of what I have in mind: the spray-painted graffiti in New York City's subways is simply not as aesthetically deserving or valuable as Michelangelo's painting of the Sistine Chapel. The electronic beeping of a Nintendo game is simply not as valuable or deserving as Saint-Saens' Organ Symphony. The religious teachings of Jim Jones or Charles Manson or David Koresh are simply not as deserving as those of Albert Schweitzer or Mother Teresa or Mahatma Gandhi.

DRAWING LINES

In a pluralistic and multicultural society, when faced with different beliefs, we must be willing to draw the line and say, "I will tolerate this much and no more." For example, in modern America, a reasonable person can tolerate, in the name of religious tolerance, a group of people living communally and preparing for what they believe will be the end of the world. However, if the leader of that religious group insists, as a religious right, upon having sex with twelve-year-old girls, as David Koresh supposedly did, then we must say, "No, this is wrong. We will not tolerate this or allow this to happen *even if the children or their parents do not object*."

Tolerance of different peoples and cultures must not deny us the defense of those convictions and self-identifying personal beliefs upon which we base our understanding of character and courage and moral worth. For example, there is no reason why we should blithely tolerate and allow, in the name of religious diversity and multiculturalism, an ancient Islamic and common African custom that is often euphemistically called "female circumcision," the crude genital mutilation of women whose "functional" purpose is to prevent women from experiencing sexual pleasure. This is a practice that has been foisted upon millions of women, and a practice that mothers continue to force upon their daughters. As individuals, we must not tolerate such barbarism in the name of diversity; as a country, we should treat such "cultural practices" as gross human rights violations.

Perhaps these claims seem obvious, but they must be *arguable*. When reasonable people agree, the ground for their agreement is perhaps too obvious; however, reasonable people can also disagree, and when they disagree, there must also be a common ground upon which the disagreement takes place. Of course, the areas of dispute are often more gray than the examples I have used here. What

A certain amount of intolerance is not only intellectually healthy, but it is also methodologically necessary for genuine intellectual inquiry.

about the religious beliefs and practices that involve the handling of poisonous snakes, or animal sacrifice, or the use of hallucinogens, or the refusal of medical treatment for oneself or one's children? Or what about the use of profanity or the advocacy of violence in rap music? Or what about the depiction of sadomasochistic homosexual themes in photographs or art? Let's put the different beliefs on the table, examine them, look at the reasons that people hold whatever beliefs they hold, and then make our choices.

In science, we cannot disallow any individual the opportunity to pursue and to offer to the scientific community any hypothesis or theory, no matter how out of favor that view might be with the orthodox, received view. After all, the idea of the Earth orbiting the Sun as well as the notion of gravity and the theory of relativity were all regarded as pretty "kooky" at one time. Similarly, people cannot be denied their opportunity to express and defend their personal beliefs, no matter how socially offensive and politically incorrect those beliefs might be. The process of developing and holding considered judgments and examined personal beliefs requires us to subject all contenders to the scrutiny of critical examination and argumentation. To suppress or censor conflicting and opposing beliefs before the case is made in their behalf undermines the entire intellectual process and vitiates the claims of anyone to the views that he holds.

Intellectual integrity and freedom of thought and speech require us to tolerate views disparate from our own for the purpose of examining the arguments and warrant on which those views are based. However, as with hypotheses in science, the time comes when we must consider the arguments and make our choices. Such tolerance does not require us to admit blanket and indiscriminate tolerance to all views or to admit that all views are equally true or reasonable. As we have seen, holding beliefs means excluding other beliefs. Holding examined personal beliefs means holding them for certain reasons, as the result of certain arguments that support those beliefs rather than some different ones. Developing reflective judgments and considered beliefs is what it means to develop a sense of self-identity and intellectual integrity and to live what Socrates called "the examined life." The view of radical relativism and the resulting excessive tolerance are simplistic, naive, and threatening to the entire enterprise of intellectual inquiry. A certain amount of intolerance is not only intellectually healthy, but it is also methodologically necessary for genuine intellectual inquiry. In other words, tolerance is morally virtuous, methodologically healthy, and culturally desirable only when practiced in moderation. The one thing of which we should be intolerant is excessive tolerance. While many things might be relative, not everything is relative; nor can everything be relative. ■

THE WORLD&I

8-Month Cumulative Title Index

DECEMBER 1994 – JULY 1995

A

ADVENTURE • Paradise below Zero. S Gorman 178 – 185 LF Jan 1995
• Kilimanjaro: The Inner Peak. R Bangs 160 – 169 LF Feb 1995

AFRICA • Fighting for Life. B Barber 223 – 233 CL Jan 1995
• 'I Cry Bitterly.' G Lang and W Stone 223 – 231 CL Apr 1995

AFRICAN AMERICANS • A New World for Women and Blacks? E Fox-Genovese 44 – 53 SP Jun 1995

AGRICULTURE • Turning the Tide against Nematodes. C Opperman and M Conkling 184 – 191 NS May 1995

ALBANIA • Albania: Balkan Time Bomb. R Bruner 64 – 69 CI Feb 1995

AMERICANA • Rewriting 'The Last Act'. A Bacevich 78 – 83 CI Dec 1994
• Appalachian Spring. J Koch 223 – 231 CL Feb 1995
• Smith Island Is Sinking. P Holden 240 – 249 CL Mar 1995
• Back to Barsoom: Remembering Edgar Rice Burroughs. J Carter 160 – 169 LF Apr 1995
• The Outrageous Fortunes of the King's English. E Olsen 178 – 185 LF Apr 1995

ANIMALS • Medicine and the Ethics of Animal Experimentation. R Frey 358 – 367 MT Apr 1995
• Why Treat the Human Animal Differently? T Beauchamp 368 – 375 MT Apr 1995
• A Different Position on Animal Rights. M Kaplan 376 – 383 MT Apr 1995

ARABS • Democracy in the Desert. M Tessler 62 – 71 CI Jan 1995

ARCHITECTURE • 'Highwire' Prize Architect. C Grenier 146 – 151 AR Dec 1994
• The Trouble with Genius. T Sullivan 107 – 111 AR Feb 1995
• The United Nations' Buildings. F Greene 426 – 435 MT Jun 1995
• The Paradoxes of Rem Koolhaas. T Sullivan 116 – 121 AR Jul 1995

ARTIFICIAL INTELLIGENCE • How Artificial Intelligence Fails. J Searle 284 – 295 MT Jul 1995
• Controversies in Artificial Intelligence. S Josephson 296 – 307 MT Jul 1995
• Great Engineering: Pity about the Psychology! R Harre 308 – 317 MT Jul 1995
• Artificial Intelligence: Where It's Been and Where It's Going. J Hendler 318 – 336 MT Jul 1995

ASIA • The Secrets of East Asia's Success. B Barber 72 – 79 CI Apr 1995
• In Rain's Shadows (photo essay). F Grehan 268 – 279 CL Apr 1995
• Time-Traveling in Asia. B Smith 414 – 427 MT Apr 1995
• Children of the Temple (Bali). D Hicks 238 – 249 CL May 1995
• Mandalay Emerges. M Downey 214 – 225 CL Jul 1995

ASTRONOMY • The Path of a Comet and Phaethon's Ride. B Kobres 394 – 405 MT Feb 1995

B

BALLET • Two Too Terrific. L Windreich 114 – 119 AR Dec 1994
• Atlanta Ballet Redivivus. D Hering 118 – 123 AR Mar 1995
• The Barre Never Closes. S Henkin 182 – 187 AR Jun 1995

BIOTECHNOLOGY • Ecological Brinkmanship. L Cavalieri 356 – 367 MT Dec 1994
• Biotechnology Applied to Microbes. J Cook 368 – 383 MT Dec 1994
• The Benefits and Ethics of Creating Transgenic Food Animals. D Kraemer 384 – 397 MT Dec 1994
• Brave New Food. A Kimbrell 398 – 407 MT Dec 1994
• Prometheus Unbound. M Kaplan 408 – 415 MT Dec 1994

BIRDS • The Bird of Peace. Jan Holden 200 – 205 NS Dec 1994
• Feathered Carusos. M Tugores 242 – 249 CL Jan 1995
• Replanting Seabird Colonies. P Salmansohn 194 – 201 NS Feb 1995
• Happiness on a Wing. G Dutton 160 – 165 NS Jul 1995

BOOK REVIEWS: FICTION
• **In the Time of the Butterflies** *by Julia Alvarez. B Mujica 328 – 333 BK Apr 1995*
• **Coda** *by Thea Astley. R Ross 316 – 321 BK Feb 1995*
• **Body of Knowledge** *by Carol Dawson. T Pilkington 330 – 334 BK Jan 1995*
• **The Paperboy** *by Pete Dexter. E Hower 322 – 325 BK Mar 1995*
• **Once Were Warriors** *by Alan Duff. C Larson 317 – 321 BK Jan 1995*
• **The Polish Officer** *by Alan Furst. J Tuttleton 267 – 271 BK Jul 1995*
• **Paradise** *by Abdulrazak Gurnah. C Larson 331 – 335 BK Mar 1995*
• **Borderliners** *by Peter Hoeg. B Allen 312 – 316 BK Apr 1995*
• **Novel without a Name** *by Duong Thu Huong. B McCombie 324 – 327 BK Apr 1995*
• **Native Speaker** *by Chang-rae Lee. J Treat 338 – 341 BK Jun 1995*
• **The Crossing** *by Cormac McCarthy. E Olsen 306 – 311 BK Dec 1994*
• **The Man without Qualities, 1-2** *by Robert Musil. L Congdon 321 – 326 BK Jun 1995*
• **Taft** *by Ann Patchett. S Larson 336 – 338 BK Mar 1995*
• **Eyes of a Child** *by Richard Patterson. R Geary 326 – 329 BK May 1995*
• **Shelter** *by Jayne Anne Phillips. E Hower 317 – 321 BK Dec 1994*
• **One True Thing** *by Anna Quindlen. R Cranny 322 – 325 BK Feb 1995*
• **Molly Flanagan and the Holy Ghost** *by Margaret Skinner. R Gingher 272 – 275 BK Jul 1995*
• **The Christmas Oratorio** *by Goran Tunstrom. B Allen 312 – 316 BK Apr 1995*
• **Ladder of Years** *by Anne Tyler. L Simon 252 – 256 BK Jul 1995*
• **The Time Machine** *by H.G. Wells. J Tibbetts 330 – 334 BK May 1995*
• **Our Game** *by John le Carre. J Tuttleton 267 – 271 BK Jul 1995*

BOOK REVIEWS: NONFICTION
• ***Dictatorship of Virtue*** by Richard Bernstein. E Shapiro 312 – 317 BK Mar 1995
• ***Fatherless America*** by David Blankenhorn. L Eby 257 – 261 BK Jul 1995
• ***Brando: Songs My Mother Taught Me*** by Marlon Brando. C Grenier 326 – 329 BK Feb 1995
• ***The Roosevelts: An American Saga*** by Peter Collier with David Horowitz. P Gottfried 322 – 325 BK Dec 1994
• ***An American Century of Photography*** by Keith Davis. J Ketch 334 – 339 BK Apr 1995
• ***Democracy on Trial*** by Jean Elshtain. P Gottfried 342 – 347 BK Jun 1995
• ***The Lucid Dreamer*** by Malcolm Godwin. V Lehmkuhl 326 – 330 BK Mar 1995
• ***How the Leopard Changed Its Spots*** by Brian Goodwin. R Lewis 311 – 315 BK Feb 1995
• ***John Dickson Carr: The Man Who Explained Miracles*** by Douglas G. Greene. J Tibbetts 330 – 337 BK Dec 1994
• ***Last Train to Memphis*** by Peter Guralnick. R Cranny 318 – 321 BK Mar 1995
• ***The De-Moralization of Society*** by Gertrude Himmelfarb. C Daly 262 – 266 BK Jul 1995
• ***The Virginia Adventure*** by Ivor Hume. E Olsen 321 – 325 BK May 1995
• ***Masters of the Dream: The Strength and Betrayal of Black America*** by Alan Keyes. G Loury 334 – 337 BK Jun 1995
• ***How Good People Make Tough Choices*** by Rushworth Kidder. R Royal 307 – 311 BK Apr 1995
• ***Silent Travelers*** by Alan Kraut. E Shapiro 335 – 339 BK Jan 1995
• ***The Revolt of the Elites and the Betrayal of Democracy*** by Christopher Lasch. W Allen 304 – 309 BK May 1995
• ***The Private Life of Chairman Mao*** by Zhisui Li. R Munro 327 – 333 BK Jun 1995
• ***Brando: The Biography*** by Peter

Manso. C Grenier 326 – 329 BK Feb 1995
- ***The Deaths of Sybil Bolton: An American History*** by Dennis McAuliffe, Jr.. R McCoy 317 – 323 BK Apr 1995
- ***Professing Feminism: Cautionary Tales from the Strange World of Women's Studies*** by Daphne Patai and Noretta Koertge. E Fox-Genovese 310 – 315 BK May 1995
- ***The New Middle East*** by Shimon Peres. A Klieman 310 – 316 BK Jan 1995
- ***The Hot Zone*** by Richard Preston. A Verghese 330 – 334 BK Feb 1995
- ***Separating School and State*** by Sheldon Richman. P Eby 316 – 320 BK May 1995
- ***The Politics of Dispossession*** by Edward Said. A Klieman 310 – 316 BK Jan 1995
- ***Recovering American Literature*** by Peter Shaw. W McClay 322 – 329 BK Jan 1995
- ***Race and Culture: A World Review*** by Thomas Sowell. B Berger 306 – 310 BK Feb 1995
- ***The Tribe of Tiger: Cats and Their Culture*** by Elizabeth Marshall Thomas. B McCombie 326 – 329 BK Dec 1994

BOOKS FEATURED
- **The Collected Stories of Louis Auchincloss** *by Louis Auchincloss. Commentaries by James Thompson and Thomas DiPietro. 277 – 311 BK Mar 1995*
- **The Master of Petersburg** *by J.M. Coetzee. Commentaries by Lee Congdon and Judith Chettle. 281 – 305 BK Feb 1995*
- **Krik? Krak!** *by Edwidge Danticat. Commentaries by Edward Hower and Margaret Hemenway. 228 – 251 BK Jul 1995*
- **The Cunning Man** *by Robertson Davies. Commentaries by Peter Shaw and Audrey Foote. 281 – 306 BK Apr 1995*
- **The Haldeman Diaries: Inside the Nixon White House** *by H.R. Haldeman. Commentaries by Robert Finch, Barbara Kellerman, and Bruce Fein. 275 – 305 BK Dec 1994*
- **She Walks These Hills** *by Sharyn McCrumb. Commentaries by Robert F. Geary and Darcy O'Brien. 282 – 309 BK Jan 1995*
- **In the Lake of the Woods** *by Tim O'Brien. Commentaries by Thomas Deignan and Pat Hoy II. 280 – 303 BK May 1995*
- **Felicia's Journey** *by William Trevor. Commentaries by Linda Simon and Robert Cranny. 298 – 320 BK Jun 1995*

BOOKS FROM ABROAD
- ***Devant le Mal (In the face of evil)*** by Rony Brauman. H Greer 276 – 281 BK Jul 1995
- ***Ay Falcisi (The moonmancer)*** by Nazli Eray. G Gun 340 – 345 BK Jan 1995
- ***Le Passage (The Passage)*** by Valery Giscard d'Estaing. C Grenier 340 – 343 BK May 1995
- ***Il Sacco d'Italia (The rape of Italy)*** by Riciotti Lazzero. L Lawner 338 – 343 BK Dec 1994
- ***Port-Sudan*** by Olivier Rollin. L Lawner 348 – 351 BK Jun 1995
- ***Modern Philosophy: A Survey*** by Roger Scruton. D O'Keefe 340 – 345 BK Apr 1995
- ***Thikat (The knives)*** by Neshat Tozaj. B Baldwin 340 – 343 BK Feb 1995
- ***Le marchand de masques (The mask dealer)*** by Henri Troyat. M Gazarian-Gautier 339 – 343 BK Mar 1995

BOOKS: TREASURES RECALLED
- **Chickamauga** *by Ambrose Bierce. J Thompson 335 – 339 BK Feb 1995*
- **The Sheltered Life** *by Ellen Glasgow. J Thompson 335 – 339 BK May 1995*

BOSNIA • *Bosnia's Precarious Future. Janusz Bugajski 66 – 71 CI Mar 1995*

BOTANY • *The Sod That Came in from the Cold. J Rogers 192 – 199 NS Dec 1994*

BULGARIA • *Bulgaria's Schindler. N Yasharoff 206 – 213 LF Jun 1995*

BUSINESS • *Succeeding in the Global Marketplace. C Boiarsky 56 – 61 CI Jul 1995*

C

CANADA • Kavavow Kiguktak (photo essay). Bryan and Cherry Alexander 344 – 353 PH Dec 1994

CENTRAL ASIA • Searching for Identity. E Wasilewska 249 – 259 CL Jun 1995
- The Forgotten Land. E Wasilewska 188 – 201 CL Jul 1995

CHILDREN'S RIGHTS • Kiddy Sex. C Baker 356 – 369 MT Feb 1995
- Children in Labor. M Weiner 370 – 381 MT Feb 1995
- Children without Rights in Latin America. M Salazar and F Knaul 382 – 393 MT Feb 1995

CHINA • The Intellectual in China Today. L Honglin 416 – 427 MT Dec 1994
- Of Earth and Bamboo. P Lau 272 – 279 CL Jan 1995
- Unfolding Problems in the PRC. Inside Mainland China 70 – 75 CI Feb 1995
- From Communism to Capitalism. J Pryba 410 – 425 MT Mar 1995
- China and Taiwan: The Need for Balance. M Lasater 88 – 93 CI Apr 1995
- Diversity in China. V Block 151 – 159 LF Apr 1995

CLINTON, BILL • A Spotty Foreign Policy Record. R Pfaltzgraff, Jr.. 24 – 31 CI Jan 1995
- An Agenda for the President. K Adelman 38 – 45 CI Jan 1995
- Can Clinton Come Back? L Edwards 24 – 29 CI Feb 1995
- A Spotty Record. R Moffit 30 – 35 CI Feb 1995
- The Clinton-Yeltsin Summit (World Views). 44 – 49 CI Jul 1995

COMMUNITARIANISM • Revised Socialism on the Horizon. T Machan 356 – 363 MT May 1995
- Libertarian Follies. A Etzioni 364 – 377 MT May 1995
- Human Personality and the Price of Freedom. M Kaplan 378 – 397 MT May 1995

COMMUNITY • House of Umoja. S Von Ohlsen-Karasik 170 – 177 LF Apr 1995

COMPUTERS • Creating the Cyberspace Laboratory. R Kouzes 190 – 197 NS Mar 1995
- Fishes of the Silicon Sea. G Levinson 223 – 229 NS Jun 1995

CONSUMER • Appraising Your Treasures. W Elvin 170 – 177 LF Feb 1995
- What's New in the Old Backyard? V Greiner 138 – 143 LF Jul 1995

CRAFTS • Amazing Feats of Clay. K Chambers 107 – 113 AR Dec 1994
- The Sorcerer's Touch. S Henkin 144 – 149 AR Feb 1995
- Sculptor? Engineer? Architect? K Chambers 105 – 111 AR Mar 1995
- Bravura Baskets. S Henkin 144 – 149 AR Apr 1995
- Treasured Trash. K Chambers 155 – 161 AR Jun 1995
- America's Masterful Silversmith. J Bell 110 – 115 AR Jul 1995

CRETE • Of Struggle and Romance. H Frangedis-Mondloch 219 – 227 CL Mar 1995

D

DANCE • Boston Goes Hip-hop. P Catalano 105 – 111 AR Jan 1995
- Formula for Success. C Hardy 118 – 123 AR Feb 1995
- East Meets West in San Francisco. O Roca 107 – 111 AR Apr 1995
- Three Balanchine Jewels. J Battey 118 – 123 AR May 1995

DENMARK • A Joyful Day. B Lorentzen 181 – 187 CL Jul 1995

DRUG WAR • A Most Complex Problem. T Vallance 358 – 373 MT Jan 1995
- The Effect of Drug Prohibition on the Medical Use of Analgesics. U Schell 374 – 393 MT Jan 1995
- The British System of Narcotics Control. S Uretsky 394 – 407 MT Jan 1995
- We're Losing the Drug War. W Bennett 140 – 147 CI Jun 1995

E

EDUCATION • The Modern University and the Culture of Thought. D Robinson 358 – 381 MT Mar 1995
- Can't Our Schools of Higher Education Do More to Promote Morals and Ethics? S Trachtenberg 382 – 397 MT Mar 1995
- Goals of Higher Education. W Poznar 398 – 409 MT Mar 1995

EDUCATION - ELEMENTARY • How to Create Better Schools. J Bremer 82 – 87 CI Jan 1995
- Why Not Prayer in School? W Murray 148 – 153 CI Jun 1995

ELECTIONS, U.S. • First in the Presidential Ring. B Pascoe 58 – 63 CI Feb 1995
- Dan Quayle: The Comeback Candidate? G Bullert 60 – 65 CI Mar 1995
- A Liberating Election. A From and W Marshall 94 – 97 CI Mar 1995
- The Anti-Washington Candidate. R Hallow 60 – 65 CI Apr 1995
- The Front-Runner. N Roman 58 – 63 CI May 1995
- Let's Clean Up Maryland's Elections. E Sauerbrey 84 – 89 CI May 1995
- America First, Last, and Always. J Moss 114 – 119 CI Jun 1995
- The Lonely Liberal. C Innerst 50 – 55 CI Jul 1995

EMBRYOS • Human Embryo Research: Take the High Road. G Hodgen 92 – 96 CI Dec 1994
- Human Embryo Research: Put on the Brakes. W Kischer 93 – 99 CI Dec 1994

ENVIRONMENT • Do the Right Thing. F Bonnie 162 – 169 LF Dec 1994
- To Know, to Use, to Save. D Tenenbaum 208 – 215 NS Feb 1995
- Frozen Peril. R Bindschadler 194 – 201 NS Apr 1995
- The Many Excesses of Ecojournalism. A Caruba 84 – 89 CI Jul 1995

ETHICS • Corporate Ethics. J Hoving 432 –

437 MT Jan 1995
ETHNIC CUSTOMS IN AMERICA • A Message to Lisbon. A Starita 242 – 251 CL Dec 1994
• Give Us Now la Guignolee. D Marshall 250 – 261 CL Jan 1995
• Sworn in Soil. A Rogers 246 – 259 CL Apr 1995
• Emerging Minority. C Rankin 221 – 229 CL May 1995
• Ancient Contract. K Bonutti 230 – 237 CL May 1995
EUROPE • The Baltics and Their Russian 'Problem'. D Reardon 62 – 69 CI Dec 1994
• Germany in Jeopardy? P Neckermann 72 – 77 CI Jan 1995
• The Slow Road to the ECU. J Lawson 80 – 81 CI Apr 1995
EUTHANASIA • From the Death Penalty to Euthanasia. R Moran and J Ellis 422 – 431 MT Jan 1995

F

FAMILY • It Takes a Village. L Criner 151 – 159 LF Feb 1995
• Effective Fathers. K Canfield 188 – 197 LF Jun 1995
• INNtimate Family Reunions. R Callari 198 – 205 LF Jun 1995
• Growing Up against the Odds. R Royal 26 – 31 CI Jul 1995
• Reclaiming the Family. C Donovan 32 – 37 CI Jul 1995
• An Orphanage That Works. D Frazier 38 – 43 CI Jul 1995
• At Home with Motherhood. H Mondloch 130 – 137 LF Jul 1995
FASHION • Art You Can Wear. C Daly 178 – 183 LF Dec 1994
FILM • Jean Renoir. L Eby 126 – 131 AR Dec 1994
• Hollywood Discovers Virtue. C Grenier 124 – 129 AR Jan 1995
• Touching All the Bases. J Ketch 151 – 161 LF Jan 1995
• John Ford. L Eby 124 – 129 AR Feb 1995
• Scenic Wizardry. C Grenier 124 – 129 AR Apr 1995
• Birth of a Film Genre. P Rollins 64 – 73 SP Jun 1995
FINE ART • Eduardo Fuss (Gallery). 132 – 139 AR Dec 1994
• Thomas Eakins, America's Spurned Master. A Ferren 140 – 145 AR Dec 1994
• Poussin: Beyond Classicism. M Gibson 130 – 135 AR Jan 1995
• Gretchen Ewert (Gallery). 136 – 143 AR Jan 1995
• Rococo Glory. H Greer 130 – 135 AR Feb 1995
• Armen Yepoyan (Gallery). 136 – 143 AR Feb 1995
• Margaret Nes (Gallery). 132 – 139 AR Mar 1995
• Odilon Redon: Triumph of Light. S Ortega 140 – 145 AR Mar 1995
• Kandinsky Kaleidoscope. E Gibson 130 – 135 AR Apr 1995
• Wolf Poltl (Gallery). 136 – 143 AR Apr 1995
• The World according to Whistler. H Greer 126 – 133 AR May 1995
• Michael Wilkinson (Gallery). 134 – 141 AR May 1995
• Recalled to Life. E Gibson 162 – 167 AR Jun 1995
• Revealed Treasures (Gallery). 168 – 175 AR Jun 1995
• Poetry in Paint. F Fox 96 – 101 AR Jul 1995
• Fred Wessel (Gallery). 102 – 109 AR Jul 1995
FOLKTALES • Telling Tales. L Randall 268 – 279 CL Feb 1995
• Tauquitch. E Miller 258 – 259 CL May 1995
• Pursuing Their Fate. D Marshall 260 – 269 CL May 1995
• Ruslan and Ludmila. D Marshall 278 – 287 CL Jun 1995
FOOD • Foods from the Orthodox Table. S Simeonova 170 – 177 LF Jan 1995
• Cut-and-Dried. E Fly 168 – 175 LF May 1995
• Pie Therapy. L Forristal 122 – 129 LF Jul 1995
FREEDOM • Freedom's Fitful Tide. J Ryan 62 – 67 CI Jul 1995
• July Fourth: Yesterday and Today. 70 – 73 CI Jul 1995

G

GARDEN • The Year of the Garden. J Bell 178 – 185 LF Feb 1995
• A Place to Unbend. N Langford 164 – 171 LF Mar 1995
• The Phantom of the Garden. V Greiner 214 – 221 LF Jun 1995
GERMANY • Germany in Jeopardy? P Neckermann 72 – 77 CI Jan 1995
GLACIERS • Ancient Sculptors of the Earth. D Mickelson and P Colgan 202 – 207 NS Jan 1995

H

HAITI • A New Beginning in Haiti (World Views). 46 – 53 CI Dec 1994
HEALTH • Discovering the Fountain of Youth? F Gebhart 174 – 179 NS Jul 1995
HISTORY, U.S. • Good-bye to Isolationism. L Edwards 24 – 33 SP Jun 1995
• The Great Father of Invention. J Coopersmith and D Snyder 34 – 43 SP Jun 1995
• A New Constellation. P Robbins 260 – 269 CL Jun 1995
HOME • The Homecoming of Linen. D McQuillan 156 – 163 LF Mar 1995
HUNGARY • Windows to Heaven. A Simic and J Simic 258 – 267 CL Mar 1995

I

INDIA • Kurukshetra: Hinduism's Battleground. P Ratnakar 406 – 423 MT Feb 1995
• The Lifeline Express. J Dean 346 – 355 PH Apr 1995
• Little Doctors. M Tugores 270 – 277 CL Jun 1995
INDONESIA • As Fleeting as Mist. J Ariyoshi 232 – 239 CL Feb 1995
INTERNATIONAL ECONOMICS • The Real Direction of the Global Economy. P Krugman 88 – 95 CI Jan 1995
• The Secrets of East Asia's Success. B Barber 72 – 79 CI Apr 1995
• Currency Roller Coaster. R Mayer 132 – 133 CI Jun 1995
IRAN • Iran Warrants a Fresh Look. W Harrop 84 – 91 CI Dec 1994
ISLAM • The Prophet's Medicine: Part 1. D Varisco 252 – 261 CL Dec 1994
• The Prophet's Medicine: Part 2. D Varisco 262 – 271 CL Jan 1995
ISRAEL • Descended from Sinai. N Meyers 230 – 241 CL Dec 1994

J

JAPAN • Giving Good Listening. L Miller 221 – 229 CL Dec 1994
• Japan Promises to Open Its Doors. J Weiss 90 – 95 CI Feb 1995
• Of Love and Chocolate. G Lewis 248 – 257 CL Feb 1995
• U.S. Trade and the Graying of Japan. A Tonelson and A Szamosszegi 70 – 75 CI May 1995
• Through Japanese Eyes. J Weiss 74 – 83 SP Jun 1995
• Terror Strikes Japan (World Views). 98 – 105 CI Jun 1995
• Crime and Culture in Japan. M Lempres 126 – 131 CI Jun 1995
JEWS • Rebuilding Their World. P Bialor 228 – 239 CL Mar 1995
• Bulgaria's Schindler. N Yasharoff 206 – 213 LF Jun 1995

L

LANGUAGE • The Unity of the Language Arts. Maria DiBattista 366 – 369 MT Jun 1995
• How Our Children Use Language. A Gardner 399 – 409 MT Jun 1995
• The Discipline of Language. J Dando 417 – 425 MT Jun 1995
LATIN AMERICA • The Summit of the Americas (World Views). 44 – 51 CI Mar 1995
• Sacred Habitat (Patterns). E Parker and A Lewington 270 – 277 CL May 1995
LAW ENFORCEMENT • Giving the Law High-Tech Support. D Boyd 187 – 193 NS Jan 1995
• The Economics of Truth in Sentencing. S Twist 76 – 81 CI Feb 1995
• It's Criminal to Deny Pell Grants to Prisoners. J Taylor 88 – 93 CI Mar 1995
• Crime and Culture in Japan. M Lempres 126 – 131 CI Jun 1995
LITERARY CRITICISM • 'You Don't Get a Candle to See the Sun Rise'. M Barna 428 – 437 MT Dec 1994
• The Aging Process: A Literary Perspective. M Birnbaum 426 – 439 MT Mar 1995
• Thoreau the Reformer. M Barna 384 – 393 MT Apr 1995
• The Great American War Novels. P Gerard 54 – 63 SP Jun 1995

M

MEDIA • The Art of Leaks. L Prato 100 – 105 CI Dec 1994
• Free Press Fetters at USIA. A Snyder 100 – 103 CI Jan 1995
• Fighting for Life. B Barber 223 – 233 CL Jan 1995
• The Media's Fascination with The Bell Curve. N Roman 100 – 105 CI Feb 1995
• 'A Truly Awful Election.' J Goulden 98 – 103 CI Mar 1995
• The CPB: Don't Kill Big Bird. R Oman 94 – 98 CI Apr 1995

• The CPB: Let It Fly on Its Own. T Graham 95 – 101 CI Apr 1995
• Pulling the TV Plug in Federal Court. P Levin and E Johnke 102 – 105 CI Apr 1995
• New Perils in Foreign Correspondence. G Geyer 98 – 103 CI May 1995
• The Many Excesses of Ecojournalism. A Caruba 84 – 89 CI Jul 1995
MEDICINE • The Prophet's Medicine: Part 1. D Varisco 252 – 261 CL Dec 1994
• The Prophet's Medicine: Part 2. D Varisco 262 – 271 CL Jan 1995
• A Magical Mold. K Coleman 166 – 173 NS Jul 1995
MEXICO • The Mexican Bailout (World Views). 42 – 49 CI May 1995
• Laughter and Tears. J Sellers 202 – 213 CL Jul 1995
MIDDLE EAST • Saddam Still Ticking. D Natali 66 – 71 CI Apr 1995
MULTICULTURALISM • False Diversity Bears Bitter Fruit. N Langiulli 96 – 99 CI Feb 1995
MUSIC • Master of Musicals. J Tibbetts 112 – 117 AR Apr 1995
MUSICIANS • Anonymous No More. T Pniewski 120 – 125 AR Dec 1994
• Firkusny's Lasting Legacy. J Tibbetts 112 – 117 AR Jan 1995
• Mitsuko Shirai. P Catalano 112 – 117 AR Feb 1995
• Harmonizing East and West. B Sand 112 – 117 AR May 1995
• The Musicscapes of Toru Takemitsu. P Catalano 176 – 181 AR Jun 1995

N

NATIVE AMERICANS • Keeping Balance (photo essay). J Scalzo 288 – 295 CL Jun 1995
NUTRITION • Eating Right Is an Ancient Rite. V Bryant 216 – 221 NS Jan 1995

O

OPERA • San Francisco Opera's Strategy for Success. M Krauss 112 – 117 AR Mar 1995

P

PHILOSOPHY • Master of My Fate_A Stoic Philosopher in a Hanoi Prison. J Stockdale 420 – 437 MT May 1995
PHOTOGRAPHY • A Shot in the Dark. S Henkin 144 – 149 AR Jan 1995
• An Empathetic Eye. D Marable 142 – 147 AR May 1995
POETRY • Solitudes within Solitude. R Poole 130 – 131 AR Mar 1995
• Matters of Heart. G Wilson 124 – 125 AR May 1995
PROFILES • Moving On. J Fox 153 – 161 LF Dec 1994
• Touching All the Bases. J Ketch 151 – 161 LF Jan 1995
• Primo Levi: The Elemental Survivor. R Rubenstein 408 – 421 MT Jan 1995
• A Visit with Ronald Reagan. R Charles 146 – 155 LF Mar 1995
• Florida in Black and White. K White 344 – 355 PH Mar 1995
• Raised in the Dirt. J Bell 160 – 167 LF May 1995
• On a Winning Streak. K White and T Rife 344 – 353 PH May 1995

R

RACE RELATIONS • The Black-White Brew. J Broadus 24 – 31 CI Mar 1995
• 'I Have an (American) Dream.' P Kirsanow 32 – 37 CI Mar 1995
• Blacks and the GOP. D Murdock 38 – 43 CI Mar 1995
REFUGEES • Starting Over. J Fox 176 – 183 LF May 1995
RELIGION • Moving On. J Fox 153 – 161 LF Dec 1994
• Kurukshetra: Hinduism's Battleground. P Ratnakar 406 – 423 MT Feb 1995
• To Soften the Path. L Evans 240 – 245 CL Apr 1995
• Saint Joseph's Altars. L McKinney 260 – 267 CL Apr 1995
• Millennial Mania. B Tyree 428 – 437 MT Apr 1995
REPUBLICAN PARTY • Blacks and the GOP. D Murdock 38 – 43 CI Mar 1995
• The Republican Party and Moral Issues. M Kaplan 80 – 87 CI Mar 1995
• Revolutionaries on the Potomac. M Garrett 120 – 125 CI Jun 1995
• Beyond the Contract with America. M Rhoads 134 – 139 CI Jun 1995
RUSSIA • The Crisis of Russia's Military Economy. S Blank 424 – 437 MT Feb 1995
• From Communism to Capitalism. J Prybla 410 – 425 MT Mar 1995
• Russia Attacks Chechnya (World Views). 44 – 51 CI Apr 1995
• The Illusion of Reform. P Goble 24 – 29 CI May 1995
• The Empire That Would. A Cohen 30 – 35 CI May 1995
• Toward a New Realism. H Ellison 36 – 41 CI May 1995
• The Clinton-Yeltsin Summit (World Views). 44 – 49 CI Jul 1995
RUSSIA - CULTURE • Voyage of Discovery. A Bochinin, E Pavlova, O Ratinov, E Rogov 262 – 273 CL Dec 1994
• Lonely 'Little Dog'. B Alexander 258 – 267 CL Feb 1995

S

SCIENCE ESSAYS • The Troubling World of Recovered Memory. J Fowler 214 – 219 NS Dec 1994
• Rethinking Evolution. G Levinson 194 – 201 NS Jan 1995
• Living within Our Airwave Limits. R Dreher 216 – 221 NS Feb 1995
• Genetic Dilemmas. J Elliott 212 – 217 NS Mar 1995
• Designing Green Goods. J Ehrenfeld 216 – 221 NS Apr 1995
• Tuning In on Extraterrestrials. S Shostak 230 – 237 NS Jun 1995
• Physics for Physicians. K Stehling 242 – 247 NS Jun 1995
SCIENTISTS • The Father of Spaceflight. M Freeman 206 – 213 NS Dec 1994
• A Giant among Chemists, a Giant among Men. G Kauffman and I Mayo 208 – 215 NS Jan 1995
• Apollo's Daughter. B DiGregorio 204 – 211 NS Mar 1995
• Naturalist of the New World. L Zimmerman 206 – 213 NS May 1995
SENSES • The Mystery of Smell. M Pines 144 – 151 NS Jul 1995
SOUTH AFRICA • The Peril and the Promise. S Osmond 24 – 31 CI Dec 1994
• Four Problems That Must be Addressed. M Johns 32 – 39 CI Dec 1994
• A Model for Africa? L Gann 40 – 45 CI Dec 1994
• Mama's Calling. K Hunter 344 – 353 LF Feb 1995
SPORTS • Baseball Strikes Out. T Patterson 82 – 87 CI Apr 1995

T

TECHNOLOGY • This Battery Runs Like a Top. R Quinn 185 – 191 NS Dec 1994
• Giving the Law High-Tech Support. D Boyd 187 – 193 NS Jan 1995
• MEMS the Word. H Hogan 187 – 193 NS Feb 1995
• The New Scuba Divers. J Shine 183 – 189 NS Mar 1995
• Breathing Easy? G Guthrie 187 – 193 NS Apr 1995
• Bubbles, Balance, and Grit. G Dutton 208 – 215 NS Apr 1995
• Magnetized Target Fusion. P Sheehey 192 – 199 NS May 1995
• The Great Father of Invention. J Coopersmith and D. Snyder 34 – 43 SP Jun 1995
• A New World for Women and Blacks? E Fox-Genovese 44 – 53 SP Jun 1995
TELEVISION • Turner Does Reality. S Henkin 124 – 129 AR Mar 1995
TERRORISM • Terror Strikes Japan (World Views). 98 – 105 CI Jun 1995
• Oklahoma City: Portent of the Future? N Livingstone 78 – 83 CI Jul 1995
THEATER • Premature Obituaries. H Greer 118 – 123 AR Jan 1995
• Sunny Outlook for Florida Theater. H Erstein 118 – 123 AR Apr 1995
• The Pitfalls of Freedom. J Elsom 105 – 111 AR May 1995
• Clones on Broadway. H Erstein 91 – 95 AR Jul 1995
TORNADOES • Winds of Fury. R Henson 200 – 205 NS May 1995
TRAVEL • A Return to Graciousness. L Forristal and S Kemper 170 – 177 LF Dec 1994
• Chile: A Well-Kept Secret. B Ross 162 – 169 LF Jan 1995
• Looking North. L Forristal 172 – 181 LF Mar 1995
• Diversity in China. V Block 151 – 159 LF Apr 1995
• A Hidden Valley in Morocco. P Perkins 149 – 159 LF May 1995

U

UNITED NATIONS • The UN at 50: Politics and Priorities. J Bolton 86 – 91 CI Jun 1995
• The UN at 50: Reform and Retrenchment. B Blechman and P Reed 92 – 97 CI Jun 1995
• Man's Best Hope for Peace (photo essay). 106 – 113 CI Jun 1995
• The United Nations' Buildings. F Greene 426 – 435 MT Jun 1995
UNITED STATES - DEFENSE • U.S. Blocks Iraqi Threats (World Views). 46 – 53 CI Jan 1995
• Restoring Military Morale. R Maginnis 84 – 89 CI Feb 1995

• The 'Antimissile Gap.' F Gaffney 74 – 77 CI Jul 1995
UNITED STATES - ECONOMY • An Industrial Debacle. C Barfield 70 – 75 CI Dec 1994
• The Economic Joystick. J Lawson 76 – 77 CI Dec 1994
• The Economy's Barometer. R Charles 78 – 81 CI Jan 1995
• A Not-So-Healthy Economy. J Albertine 36 – 41 CI Feb 1995
• Mutual Funds: Banks of the '90s. A Lavine 82 – 83 CI Feb 1995
• A Small-Business Nation. B Bartlett 78 – 79 CI Mar 1995
• U.S. Trade and the Graying of Japan. A Tonelson and A Szamosszegi 70 – 75 CI May 1995
• Rating the Poverty Rate. L Gallaway 76 – 77 CI May 1995
• Why We Need the Flat Tax. D Armey 90 – 97 CI May 1995
• The ABCs of Bonds. P Hill 68 – 69 CI Jul 1995
UNITED STATES - GOVERNMENT • Who's in Charge? L Di Rita 32 – 37 CI Jan 1995
• HUD's Social Engineering. R Hallow 96 – 99 CI Jan 1995
• Free Press Fetters at USIA. A Snyder 100 – 103 CI Jan 1995
• Republicans Take Charge (World Views). 42 – 49 CI Feb 1995
• The Line-Item Veto Up Close. J Attarian 72 – 77 CI Mar 1995
• A Real Revolution. D Mason 26 – 31 CI Apr 1995
• A Civilized Brawl. M Hammond 32 – 37 CI Apr 1995
• The Impact on American Politics. N Ornstein 38 – 43 CI Apr 1995
• Pat Robertson's Conspiracy Theory. M Kaplan 394 – 413 MT Apr 1995
• The Politics of Foreign Aid. J Guardiano 64 – 69 CI May 1995
• Stop the EPA's Racket. R Marzulla 78 – 83 CI May 1995
URBAN PLANNING • What Makes a Good Urban Space? M Webb 234 – 241 CL Jan 1995
• Old World to New. M Webb 240 – 247 CL Feb 1995
• Greening Urban Space. M Webb 250 – 257 CL Mar 1995
• Alternative Urban Spaces. M Webb 232 – 239 CL Apr 1995
• Reinventing the Plaza. M Webb 250 – 257 CL May 1995

V

VIETNAM • Seeking Good Fortune. K Rice 268 – 275 CL Mar 1995
VOLCANOES • When the Mountain Awakes. A Woods 198 – 203 NS Mar 1995

W

WATER • Water and Drug Design. E Toone 152 – 159 NS Jul 1995
WELFARE POLICY • Compassion That Kills: Is the Mainline a Dangerous Samaritan? W Benjamin 398 – 409 MT May 1995
• The Church's Mandate for Compassionate Charity. M Cooper 410 – 419 MT May 1995
WOMEN • A New World for Women and Blacks? E Fox-Genovese 44 – 53 SP Jun 1995

Z

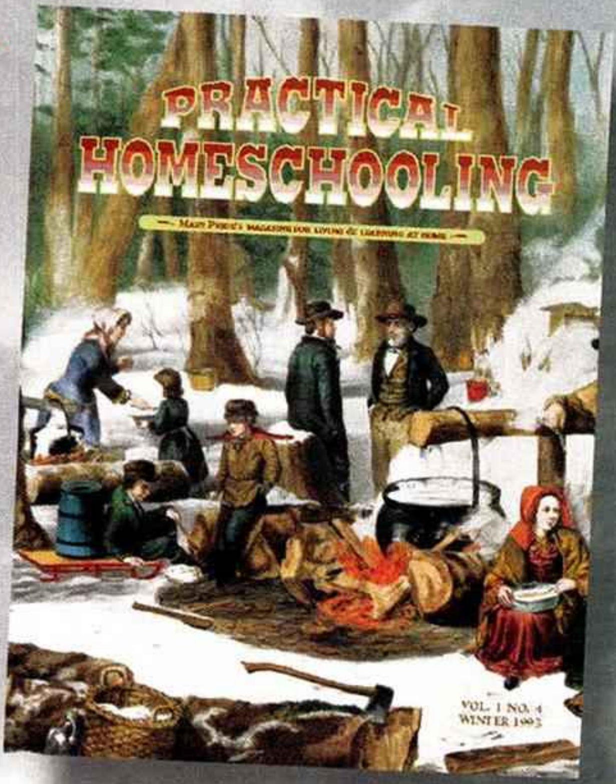
ZOOLOGY • Ambassador of the North. C Schwartz 202 – 207 NS Feb 1995
• Picnic Spoilers and Nature Balancers. M Pokorney 202 – 207 NS Apr 1995
• Can Fisheries Take the Heat? M Glantz 214 – 219 NS May 1995
• An Ancient Survivor. J Osborn 238 – 241 NS Jun 1995

SUBSCRIBE TO
PRACTICAL HOMESCHOOLING
FOR BETTER EDUCATION RIGHT NOW!

Join over 50,000 readers who . . .

- **Have fun** with our homeschool diaries, colorful photo sections, & "Find the Toothpick" game. **Free prizes every issue!**
- **Save time & money** with our detailed product reviews. We find and rate up to **100** educational products each issue!
- **Get a jolt** from our new **"Computer Room"** section. Something for everyone, from computer novices to Internet-heads!
- **Keep up** with the latest ideas & techniques for all ages. Unit studies. Classical education. Early education. "Great Books." **Accelerated education** (one of our columnists has kids who routinely get an accredited Masters degree by age 16!).

Now 80 or more glossy pages every issue!



BECOME A HOMESCHOOL EXPERT!

☐ Yes, I want the next four issues of PHS for just $17.50 ($20 if purchased separately)!

☐ I want to save even more: eight issues for $30!

8 Info-Packed Issues Only $30!

Add these back issues: ☐ PHS #1, $5 ☐ PHS #2—$5 ☐ PHS #3, $5 ☐ PHS #4, $5

Add these special reports: ☐ "Homeschooling Secrets," $2 ☐ "Organizing Secrets," $2 ☐ "Curriculum Secrets," $2 ☐ SAVE! All three reports, $5

Add these books: ☐ Prides' Guide to Educational Software (over 750 programs rated & reviewed), $27.50 ☐ Big Book of Home Learning, Volume 1 (how to get started in homeschool), $19.50

Name______________________________

Address______________________________

City__________ State____ Zip______ Telephone__________

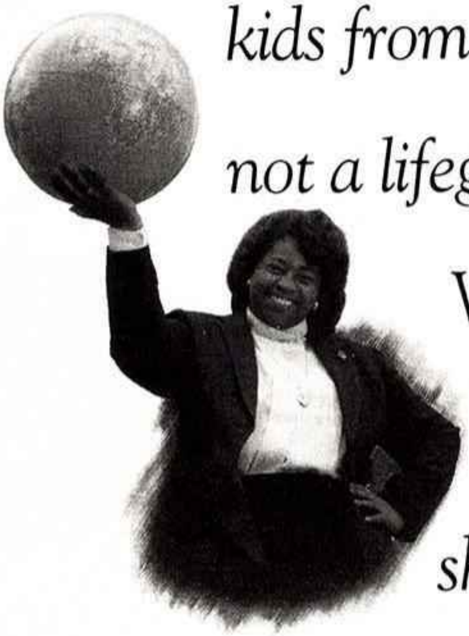
MC/VISA Credit Card #____________________ Exp. Date________

Signature________________________

Return with payment to: Home Life, PO Box 1250, Fenton MO 63026-2635

For Faster Service, Call Toll-Free: **1-800-346-6322** Please allow 6-8 weeks for your first issue.

Bill Nave saved these kids from drowning, but he's not a lifeguard.



Verleeta Wooten found several new stars, but she's not an astronomer.

And Ivan Neal put out a lot of fires, but he's not a firefighter.

These are teachers. But to the kids they reach, they're heroes.

BE A TEACHER. BE A HERO.

Call 1-800-45-TEACH.

Ad Council A Public Service of This Publication

Photos: Robin Sachs

Reach for the Power
TEACH
RECRUITING NEW TEACHERS, INC.

Ignore the Left Jabs.

AMERICA'S NEWSPAPER

The Washington Times

November 14 – 20, 1994 | NATIONAL WEEKLY EDITION | $2.25

★ ★ ★ Special 1994 Election Issue ★ ★ ★

REPUBLICANS BY A KNOCKOUT

Clinton, Democratic policies rejected beyond Beltway

New Whitewater hearings likely

By Jerry Seper

see HEARINGS, page 7

The morning after:

Voters realign the government

By Donald Lambro

Here comes full-contact journalism from Washington's most fearless reporting team. Get the best of The Washington Times each week with The Washington Times National Weekly Edition. It's essential reading with no liberal bias. And no punches pulled.

Get Washington's hottest read for just 77¢ per issue.*

Get your own direct line to Washington's people in power — free.

Every 1 and 2-year prepaid subscription comes with a new copy of *Capital Contacts*, a 110-page guide – **just revised for the newly elected congress** – that lists fax and phone numbers for every U.S. senator, congressman, government agency and key White House staffers. This great resource is absolutely free with your 1 or 2 year subscription!

Call today or clip and mail this coupon to The Washington Times National Weekly Edition.

☐ *2 YEARS for only $79.95 ☐ 1 YEAR $59.95 ☐ 6 months $34.95

(Please print clearly when filling out coupon)

Name

Address

City State Zip Phone: ( )

Please Check One: ☐ MasterCard ☐ VISA ☐ Discover ☐ American Express ☐ Bill Me

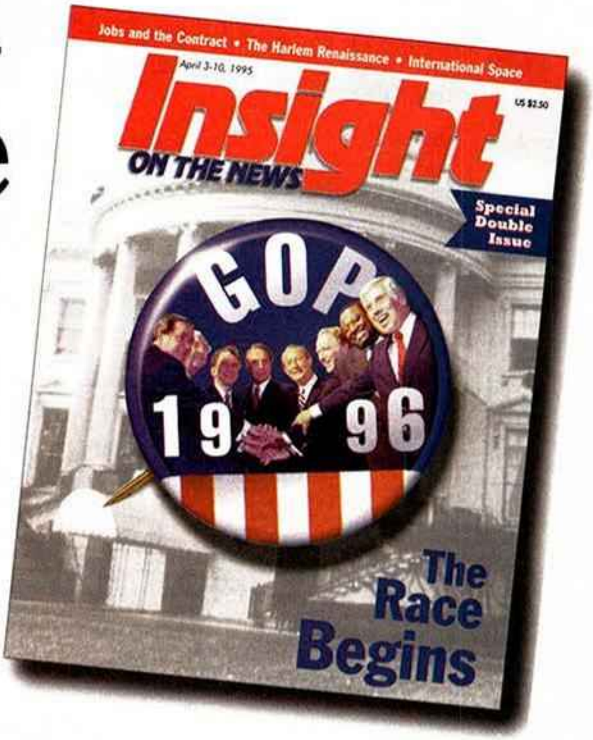
☐ Check/Money Order Enclosed

Credit Card # Expiration Date Signature

Make checks payable to The Washington Times National Weekly Edition. PO Box 96601, Washington, DC 20090 **UJAA95**

To Subscribe, Call 1-800-636-3699 Today.

When sound bites replace insight... you need to replace sound bites.



Receive a full year — 48 weeks — of **Insight** for just $34.84. Washington and the world: We show you how things *really* work. Call toll-free now with your credit card handy:

1-800-356-3588

BJAFEE

Or fill out this order form and mail to:
Insight, 3600 New York Ave., N.E., Washington, DC 20002

Name

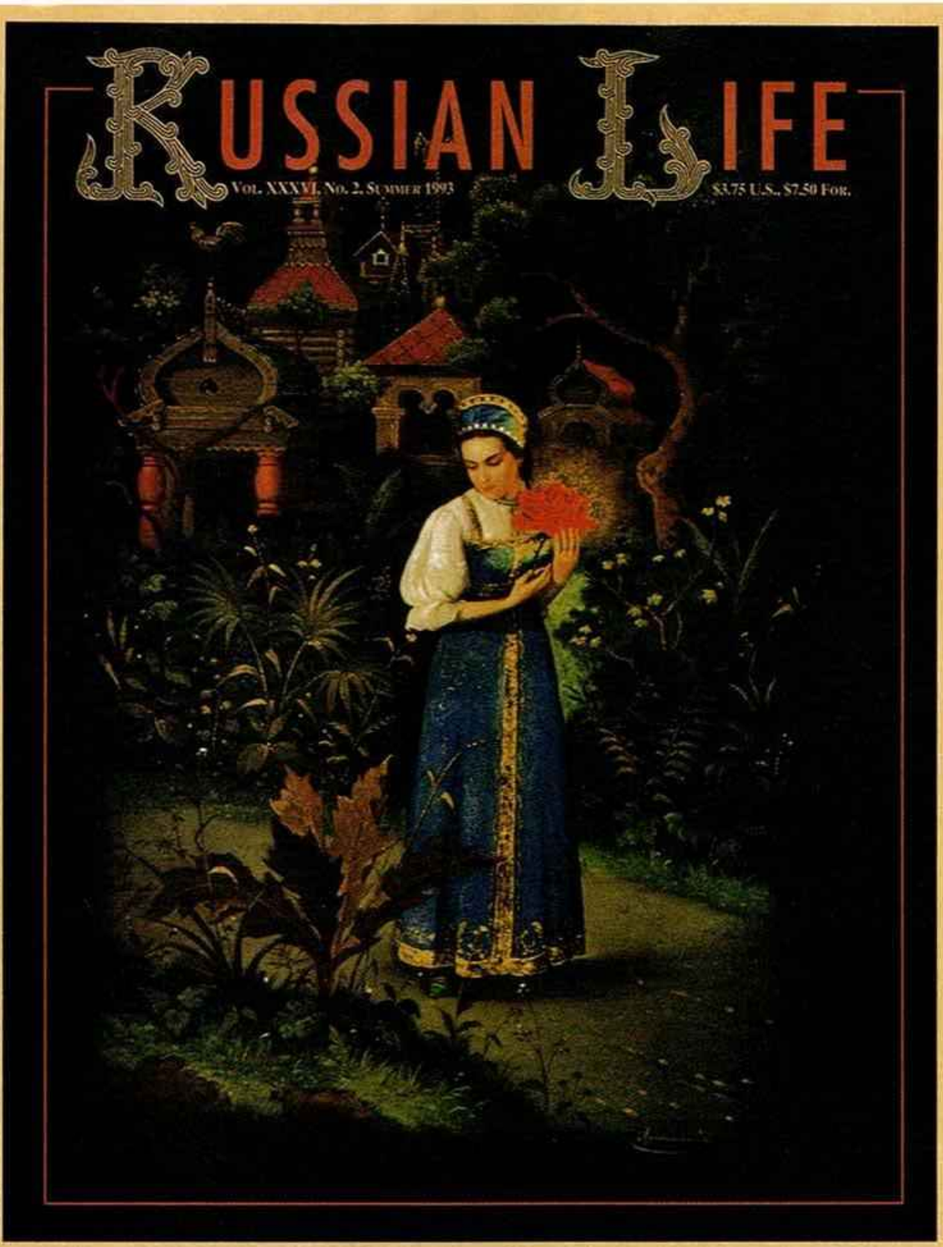
Address

City State Zip

❑ Check enclosed **Credit card Information:** ❑ Mastercard ❑ Visa ❑ Discover ❑ American Express

Card Number Expiration Date

Signature Telephone Number



History
Culture
Politics
Society

Science
Business
Industry
Future

The unfolding story of a Legendary Land

Please start my subscription to RUSSIAN LIFE:

Name: ____________________
Address: ____________________
City ______________ State ______
Country: ______________ Zip ______

☐ 1 year (6 issues) $19.75
☐ 2 years (12 issues) $38.95
☐ 3 years (18 issues) $57.95
☐ Add $2.00 per issue for foreign distribution (except Canada).
[CODE A94PPSXX-8]

___Check ___MC ___VISA ___Bill me
(Checks required in U.S. funds drawn on a U.S. bank.)

Card No. ____________________
Exp. date _____ ____________________
Signature

Send a gift subscription to:

Name: ____________________
Address: ____________________
City ______________ State ______
Country: ______________ Zip ______

☐ 1 year (6 issues) $19.75
☐ 2 years (12 issues) $38.95
☐ 3 years (18 issues) $57.95
☐ Add $2.00 per issue for foreign distribution (except Canada).
[CODE A94PPGXX-7]

___Check ___MC ___VISA ___Bill me
(Checks required in U.S. funds drawn on a U.S. bank.)

Card No. ____________________
Exp. date _____ ____________________
Signature

SEND TO SUBSCRIPTION DEPARTMENT, P.O. BOX 7716, RIVERTON, NJ 08077-7716

We guarantee an lightening reading experience.

If not satisfied after xamining your first issue, you may ancel and retain it without charge.

1-800 622-8728 is our toll-free phone for new subscriptions.

Check or credit card prepayment extends your subscription by one extra issue.

PUBLISHED BY RICH FRONTIER PUBLISHING CO., INC., IN COOPERATION WITH RUSSIA'S INFORMATION AGENCY — NOVOSTI

THE LANGUAGE SOURCE

Self-instructional courses in 91 languages

We are pleased to offer comprehensive audio-cassette/book courses in Russian and several other eastern European and central Asian languages. All courses emphasize the *spoken* language, and native speakers are used exclusively. Our programs are unconditionally guaranteed and may be returned within 30 days for a full refund or exchange.

Modern Russian Course

This is the course of choice in hundreds of American universities. The authors are Clayton L. Dawson, Charles E. Bidwell, and Assya Humesky. The program was developed under the sponsorship of the U.S. Office of Education by a distinguished team of Russian language specialists. Volume I is ideal for beginners; it starts off with the pronunciation of Russian and the Cyrillic alphabet. Approximately 1,400 words are presented in Volume I.

Volume II is more advanced and is ideal for those wishing to "brush up" on their Russian language skills.

#AFB101. Modern Russian I: 24 cassettes (28½ hr.), 480-p. text and manual, $255.

#AFB125. Modern Russian II: 24 cassettes (28½ hr.), 479-p. text and manual, $255.

Russian for Business

This program consists of 3 audio cassettes and a phrasebook. It provides a solid grounding in the terms and expressions needed for effective business communication in Russian. The program was developed under the auspices of American-Russian Trade Promotion.

#SRU250. When Doing Business in Russia, It Pays to Speak Russian: 3 cassettes (3 hr.), and 80-p. phrasebook, $65.

Russian Pronunciation

Native speakers explain, illustrate, and drill the basic sounds of Russian with emphasis on problem areas for speakers of English.

#SRU125. How to Pronounce Russian Correctly: 1 cassette (55 min.) and 64-p. booklet, $19.95.

Other Courses Available

AZERBAIJANI. #AFAZ10. Colloquial Azerbaijani: 3 cassettes (4 hr.), 64-p. text, and reference cards, $75.

CZECH. #AFCZ10. Contemporary Czech: 3 cassettes (3 hr.) and 271-p. text, $65.

ESTONIAN. #AFET10. Basic Estonian: 32 cassettes (30 hr.) and 393-p. text, $255.

KAZAKH. #AFKA10. Colloquial Kazakh: 3 cassettes (4 hr.), 64-p. text, and reference cards, $75.

LATVIAN. #AFLV10. Easy Way to Latvian: 12 cassettes (12 hr.) and 283-p. text, $185.

LITHUANIAN. #AFLT10. Easy Way to Lithuanian: 6 cassettes (9 hr.) and 292-p. text, $135.

POLISH. #AFP500. Conversational Polish: A Beginner's Guide: 8 cassettes (7 hr.) and 327-p. text, $185.

SLOVAK. #AFSL10. Beginning Slovak: 8 cassettes (8 hr.) and 522-p. text, $185.

UKRAINIAN. #AFUK10. Everyday Ukrainian: 10 cassettes (10 hr.) and 342-p. text, $195.

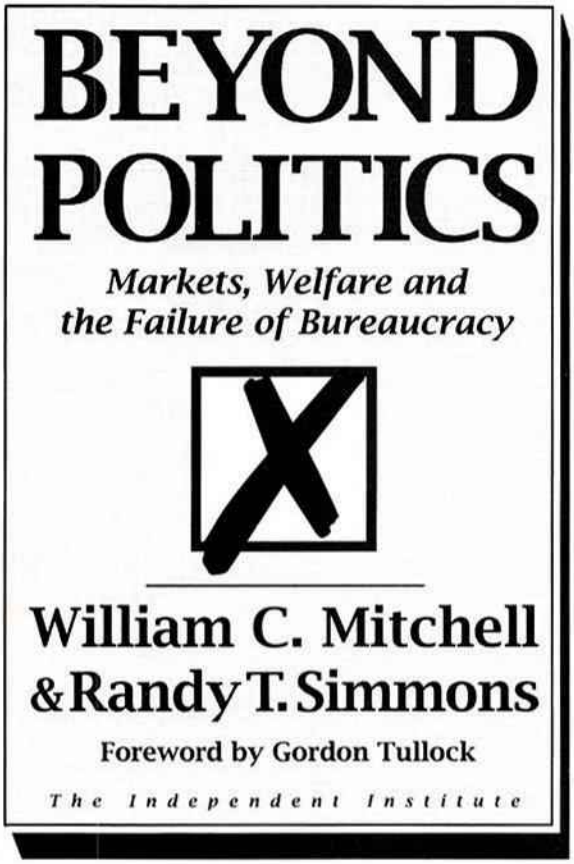
UZBEK. #AFUZ10. Colloquial Uzbek: 3 cassettes (4 hr.) 64-p. text, and reference cards, $75.

Call or write for our free 56-page *Whole World Language Catalog* which includes many other Russian language materials, including video programs.

AUDIO·FORUM
THE LANGUAGE SOURCE

Phone, fax, or mail your order or request for a catalog to: Audio-Forum, Suite P586, On-the-Green, Guilford, CT 06437. Toll-free phone 1-800-243-1234, Fax 203-453-9774.

"*The best primer on political reality,* **Beyond Politics** *will revolutionize your thinking!*" — **PETE DU PONT**



Orthodox public policy has held that "market failures" are rampant in society, necessitating government intervention to serve and protect the public good. In *Beyond Politics* however, the authors trace the anatomy of "government failures" and a pathology of contemporary political institutions as government has become the vehicle for private gain at public expense.

The book enlightens the true relationship of government and markets by emphasizing their actual rather than their ideal workings and by re-uniting the insights of economics with political science.

In so doing, this bold and vigorous book examines a host of public issues, including social welfare, education, consumer protection, and the environment. Offering a unified and powerful perspective on market processes, property rights, politics, contracts and government bureaucracy, *Beyond Politics* is a lucid and comprehensive book on how we can restore the institutions for a free and humane society.

"*An outstanding job,* **Beyond Politics** *explains the continuum of public policy battles and why bureaucratic institutions are unable to deliver on their promises.*"
— **JAMES C. MILLER, III**
Former Director, Office of Management and Budget

"*Public dissatisfaction with government now seems inescapable as publics are looking for a new conception of government. The excellent book,* **Beyond Politics**, *clearly and persuasively fills this bill.*"
— **ROBERT L. BARTLEY**
Editor, *The Wall Street Journal*

"**Beyond Politics** *superbly assembles the required understanding of both economics and politics, to get straight to the important elements.*"
— **JAMES M. BUCHANAN**
Nobel Laureate in Economic Science

"**Beyond Politics** *is an accessible and compelling account of the major issue of our time — the intersection of politics and the market. With great care, the authors demolish the arguments to justify a vast government bureaucracy.*"
— **RICHARD A. EPSTEIN**
Distinguished Professor of Law, University of Chicago

The INDEPENDENT INSTITUTE

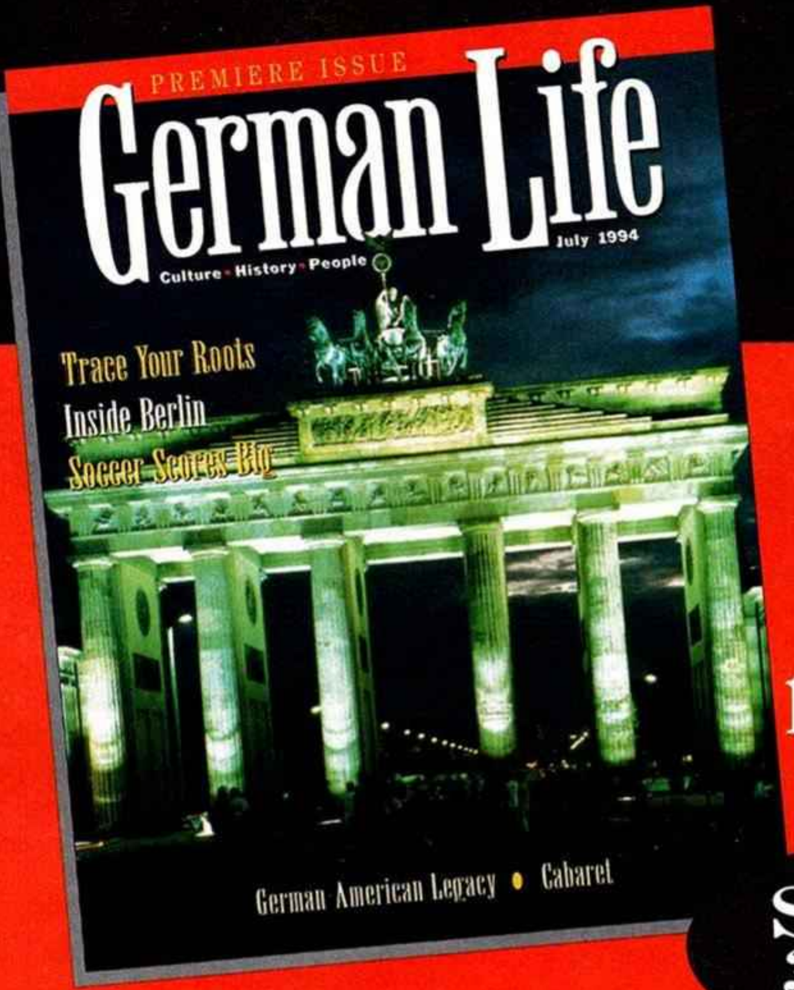
18 Figures • 2 Tables • Index • 224 pp • $49.50 Cloth/$17.95 Paper
Westview Press: Boulder • San Francisco • Oxford
Shipping/handling: Add $3.00/book (CA residents add sales tax)

ORDER TOLL FREE 1-800-927-8733
Credit card orders only. 24 hours a day.

The Independent Institute, Dept. BN5, 134 Ninety-Eighth Avenue, Oakland, CA 94603

Explore the fascinating history and vibrant culture that make up the rich diversity of the German experience.

Travel
Art
Cuisine
Traditions
People
History
Sports
Festivals
and more.



Subscribe today

Call 1-800-314-6843

Save 33%

Every other month, open *German Life* and experience the colors and flavors, people and events that shape German culture and define the vibrant legacy of German heritage in the United States.

Yes, please send me a one year subscription to *German Life* magazine for only $15.95, a 33% savings off the newsstand price.

Name ______________________________

Address ______________________ Apt. No. __________

City ______________ State __________ Zip __________

❒ Payment Enclosed ❒ Bill Me ❒ Visa/Mastercard

Card No. ______________________ Exp. Date __________

Signature ______________________________

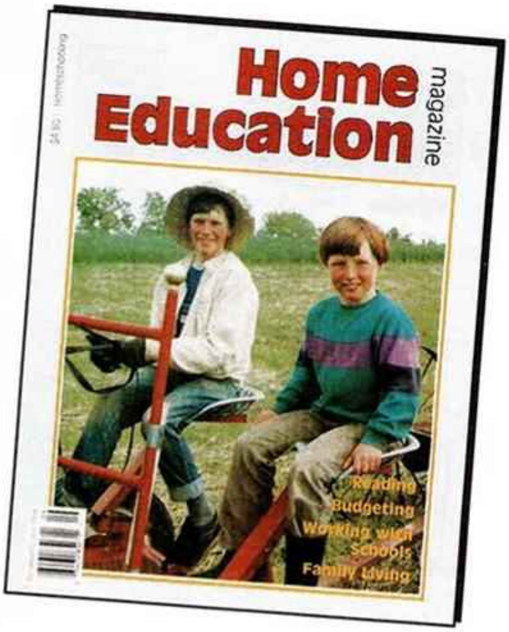
In Maryland, $16.75 includes 5% tax, In Canada, $24.25 includes 7% GST tax, Foreign $22.65, U.S. Funds Only. Allow 6-8 weeks for delivery of 1st issue

Mail to: *German Life*, Dept. A07E42, P.O. Box 609, Grantsville, MD 21536.

In the whirlwind of life
there are a few things
you need to be sure
you hang on to....

your children

your family



For twelve years we've been helping our readers do just that.

Home Education magazine

At **Home Education Magazine** we offer an understanding of children and learning, family and community that will benefit any reader, whether you're a homeschooling parent or are seeking new ideas in education.

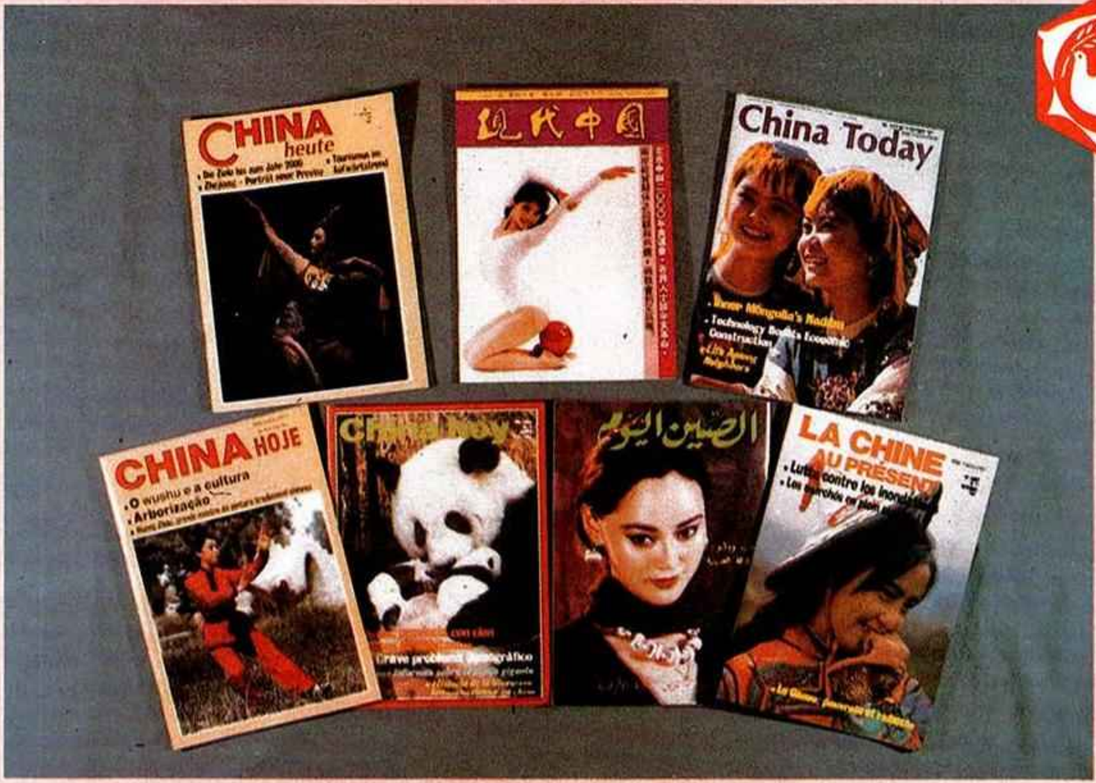
Each 68 page issue is packed with thought-provoking articles, educational resources, news and information, and many reader exchanges. Ten regular columnists offer helpful insights on everything from living with your kids to perceptive analysis of current educational trends.

Home Education Magazine will help you understand your children and your family.

One year - Six Issues - $18.00 **Current Issue - $3.50**

Home Education Magazine, PO Box 1083, Tonasket, WA 98855 509-486-1351

Ask for our free information-packed catalog of books and publications.



China Today Salutes Its Readers.

Introducing *China Today*

China Today (formerly *China Reconstructs*) is an illustrated, general-interest monthly magazine published by the China Welfare Institute and distributed throughout 150 countries and regions. It was founded in 1952 by Soong Ching Ling (Mme Sun Yat-sen), the late Honorary Chairman of the People's Republic of China.

The 76 pages of each issue offer a fascinating variety of articles on every aspect of life in China — arts, culture, science, medicine, education, sports, minority nationalities, traditions, customs, tourism, scenic areas, cultural relics, archaeology, economy, and international cooperation and exchange. Our color pages are especially popular with readers.

We publish our magazine in English, French, Spanish, Arabic, German and Chinese. The Arab edition is printed in Cairo and a special North American edition is printed in the USA. *China Today* is informative, fun to read and an excellent aid to those interested in learning other languages.

Subscription:

To order, please send your subscription form, plus a check or money order, to:

China Books and Periodicals, Inc.
2929 24th Street
San Francisco, CA 94110
USA

Or if you prefer, you may subscribe directly to us, mailing your form and check or money order to:

China Today Business Department
24 Baiwanzhuang Road
Beijing 100037
P. R. China

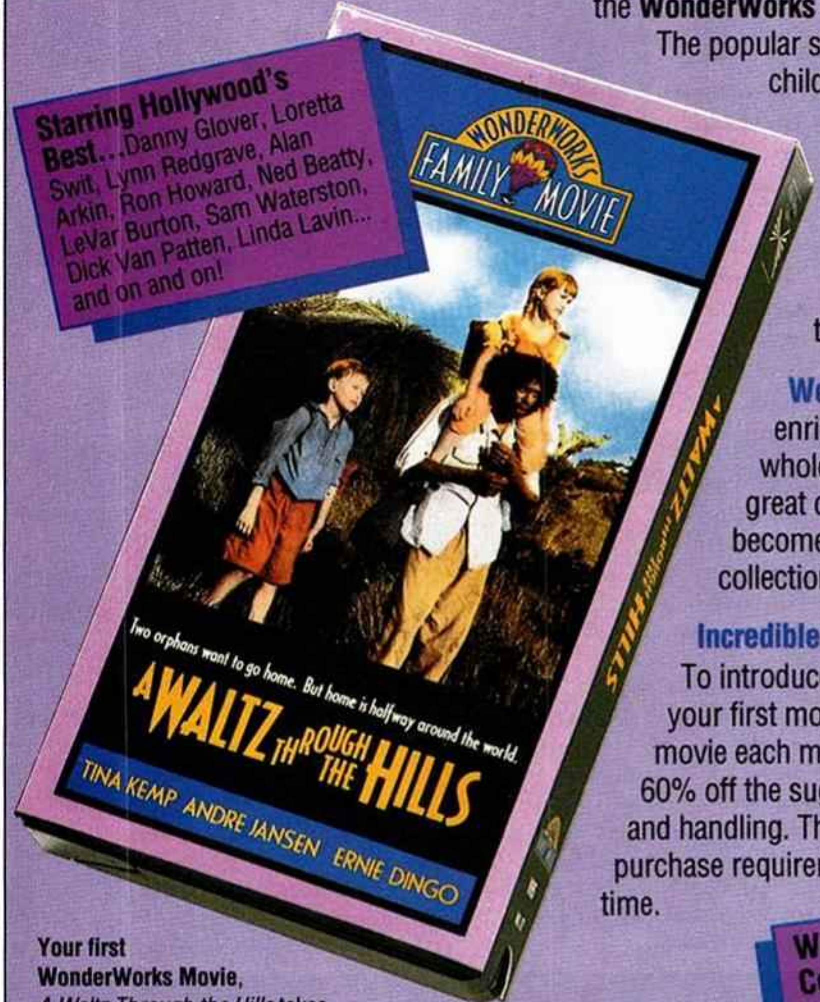
Tel: 8326037 (General Editorial Department)
8326644 ext. 4105 (Business Department)
Fax: 8328338

Readers are welcome to subscribe to *China Today*.

FREE FAMILY VIDEO

Introducing...
the **WonderWorks Family Video Collection**.
The popular series of PBS movies produced for children and their families, *now available on video.*

Starring Hollywood's Best... Danny Glover, Loretta Swit, Lynn Redgrave, Alan Arkin, Ron Howard, Ned Beatty, LeVar Burton, Sam Waterston, Dick Van Patten, Linda Lavin... and on and on!



Your first WonderWorks Movie, *A Waltz Through the Hills* takes you on an adventurous journey through the wilds of the Australian outback with two orphans who want to go home, but home is halfway around the world.

WonderWorks is a treasure chest of classics in children's literature, American stories and tales from other cultures, dramatizing universal themes.

WonderWorks...entertaining, enriching and inspiring movies the whole family can enjoy together. Like great children's books, these are sure to become video-age classics. Start a great collection today!

Incredible Introductory Offer...

To introduce you to WonderWorks, we'll send your first movie FREE and then another great movie each month for only $10.95 (that's over 60% off the suggested retail price) plus shipping and handling. There's no obligation or minimum purchase requirement and you may cancel at any time.

Winner of Over 100 Coveted Awards... Oscar, Emmy, Peabody, Parent's Choice, TV Guide, Action for Children's Television, and many more!

$29.95 value... FREE with no obligation to buy again!

☑ **YES!** Rush me my first WonderWorks movie, *A Waltz Through the Hills*, under the terms outlined in this advertisement. Enclosed is $3.00 for shipping and handling. I understand that there is no minimum purchase obligation and that I may cancel at any time. Limit one per household. VHS only.

First Name ____ Last Name ____

Address ____

City ____ State ____ Zip ____ 7329

Mail to: CVP Family Video Collection
215 West Harrison • Seattle, WA 98119

"WonderWorks is one of the best, most reliable, and most varied programs for children..."
—*New York Post*

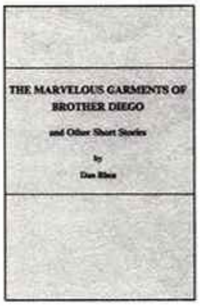
"It will delight generations of children for years to come"
—*Los Angeles Herald Examiner*

WONDERWORKS FAMILY MOVIE

©1995 CVP, Inc.

market Publisher's place

The Marvelous Garments Of Brother Diego and Other Short Stories.

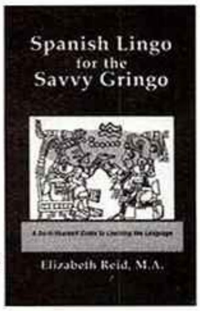


by Dan Rhea. Three light-hearted stories of good-will written by an American poet. Limited numbered edition of 250 copies. Softbound, 52 pages, $15.00 each, postpaid. HERA PUBLISHING, INC., Box 501, Wood River, Illinois 62095.

American Dreams.

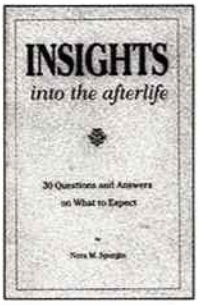
by Lisa Banim. "...this is well-executed, easy-to-read historical fiction that has enough character and plot development to give readers a glimpse of how America violated the civil rights of Japanese-Americans." *School Library Journal*
SILVER MOON PRESS, 126 FIFTH AVENUE, SUITE 803, NEW YORK, NY 10011
Phone: 1•800•874•3320

Friendly foreign language learning



from In One EAR Publications. Books, audio tapes, videos and realia. Send for your free catalog.
Free subscription to BUENO newsletter for schools and libraries. 619/478-5619. BUENO, Catalog Dept.; 29481 Manzanita; Campo, CA 91906-1128.

Insights Into the Afterlife

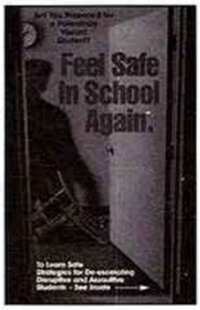


by Nora M. Spurgin. Thirty questions and answers on what to expect on the one journey we will all make one day - the journey that lies beyond death. $3.50 includes S&H. Quantity prices available. The Women's Federation for World Peace; 4 W. 43rd St.; New York, NY 10036.
212-764-7239

"Surviving After High School".

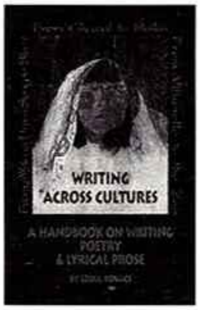
This definitive text was selected one of 1994's BEST BOOKS FOR TEENS by the New York Young Adult Librarians.
Teacher's Guide available. Send $14.95 (S&H included) to J-Mart Press, P.O. Box 8884, VA BEACH, VA 23450-8884. For qty. discounts call 1-800-487-4060 or FAX 804-498-4060.

Defuse Violent Students!



For a free catalog of resources that will help you defuse potentially violent students and stay safe when a student becomes assaultive, starts a fight or has a weapon, call 1-800-558-8976. Training educators since 1980. 3315-K North 124th St., Brookfield, WI 53005, Fax: 414-783-5906. E-mail: cpi@execpc.com.

Writing Across Cultures:



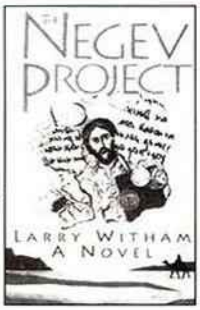
A Handbook on Writing Poetry & Lyrical Prose by Edna Kovacs. From African Drum Song to Blues, Ghazal to Haiku, Vialelle to the Zoo - a multicultural/multisensory approach to teaching writing with zest. $14.95 ppd. Blue Heron Publishing, 24450 NW Hansen Rd., Hillsboro, OR 97124. 503-621-3911. Visa/MC. PO's accepted.

Publisher's marketplace

Welcome to THE WORLD & I's Publisher's Marketplace, where you can reach over 15,000 proven book buyers and over 45,000 active readers each month for as little as $75. To reserve space, send your book or cover along with a 20-40 word description and payment to:

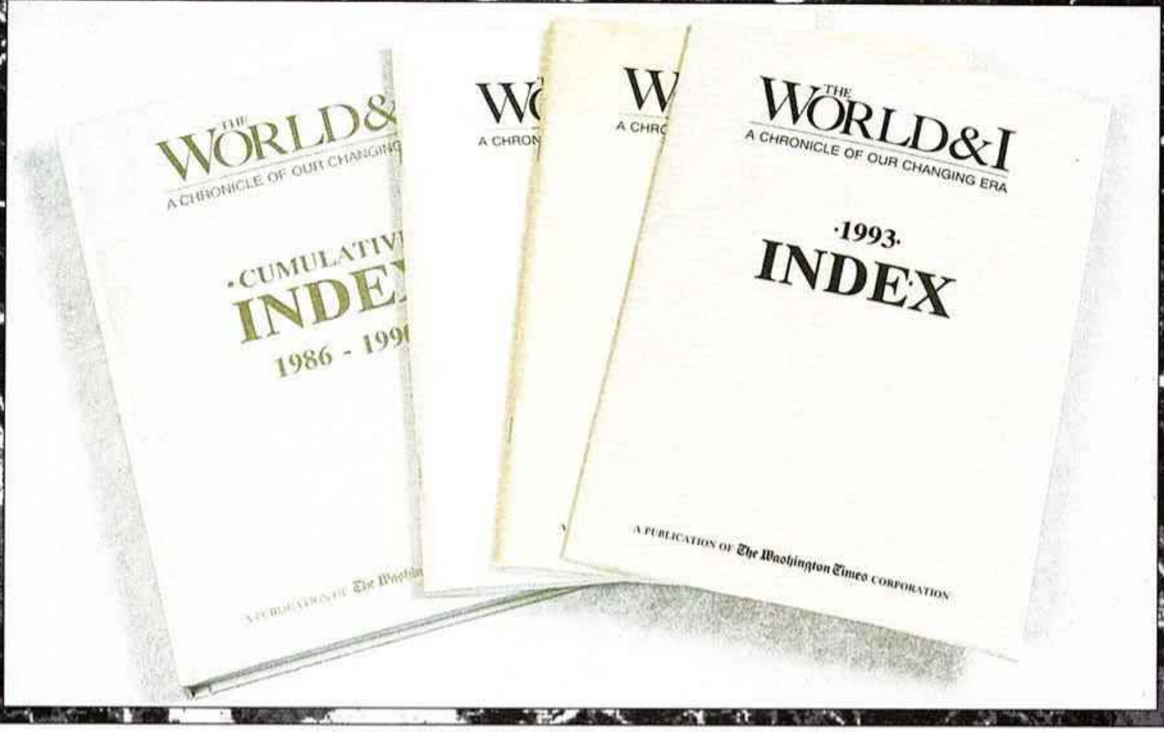
Francis Buckingham
THE WORLD & I
3400 New York Avenue, NE
Washington, DC 20002
or call 202-636-3369
for more information

The Negev Project



a novel by Larry Witham. A thriller plot, religion, lost Bible manuscripts, Russia and Mideast peace weave a story that "should engage the interest of thoughtful readers" Library Journal. Hardcover, 301 pages, $17.95. To order: Meridian Books, P.O. Box 659, College Park, MD 20740.
(301) 277-3448.

EVEN BETTER THAN AN ENCYCLOPEDIA!



RESEARCH THOUSANDS OF CURRENT TOPICS

with

THE WORLD & I's CUMULATIVE INDEX:

Our five-year index lists articles from January 1986 through December 1990.
More than 30,000 listings! ($20.00)
With your order of the Five-Year Cumulative Index, you will receive the 1991, 1992, and 1993 annual updates absolutely free!
The index for the years 1991, 1992, and 1993 are also available separately. ($5.00 each)

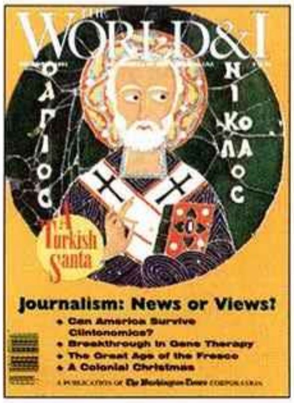
All three volumes are extensively cross-referenced; together, they make the complete research tool!

Once you have the indexes in your hands, they become a natural reference to our back issues.
If we've published something you missed, here's a chance to catch up!
Back issues are priced at $10.00 each, plus additional charge based on shipping and availability.

We also offer significant discounts for ordering an entire year (all 12 issues) at a time:

1986/87	$120.00 (each)	**1990**	$90.00
1988	$110.00	**1991**	$80.00
1989	$100.00	**1992/93**	$70.00

Terms: On orders for more than one year, deduct 10%; on orders for all seven years, deduct 15%. *All full-year domestic shipments are postpaid. Prepayment is required for all back issue orders.*



Call us at **1-800-822-2822**
(Fax: 202-526-3497)
Or send orders to: **Circulation Department, 3400 New York Avenue NE, Washington, DC 20002**

<u>*Shipping and Handling on Foreign Orders:*</u>
Orders from Canada and Mexico: Add 30% to purchase price.
All other foreign orders: Add 45% for surface mail (allowing 6-8 weeks for delivery) Add 90% for airmail delivery.

■ **The Lone Star state** competes successfully in a world of high technology and international trade. See the Special Report, "The Many States of Texas," on page 22.

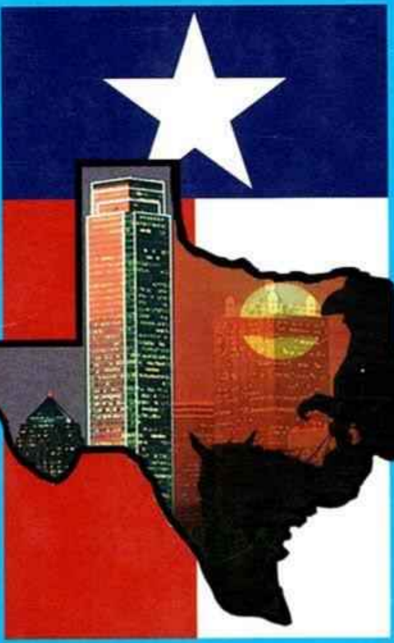


PHOTO COLLAGE: CITYSCAPE-JOHN ELK III
COWBOY-GREATER HOUSTON CONVENTION AND VISITOR'S BUREAU

In This Issue

- **How Should the U.S. Handle Terrorism?**
- **Hitler's Scientific Gift to America**
- **Mahler and the Corporate Elite**
- **How to Visit a Museum with Kids**